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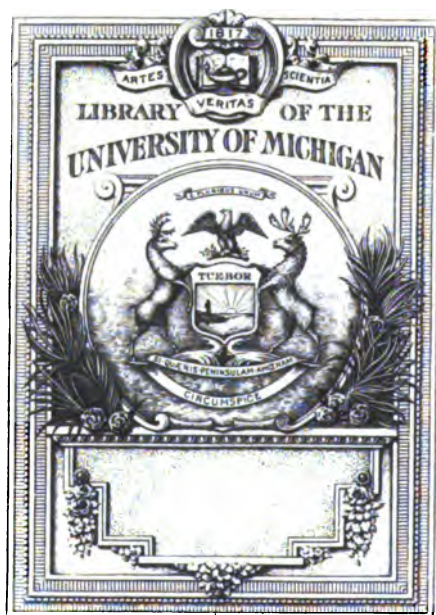
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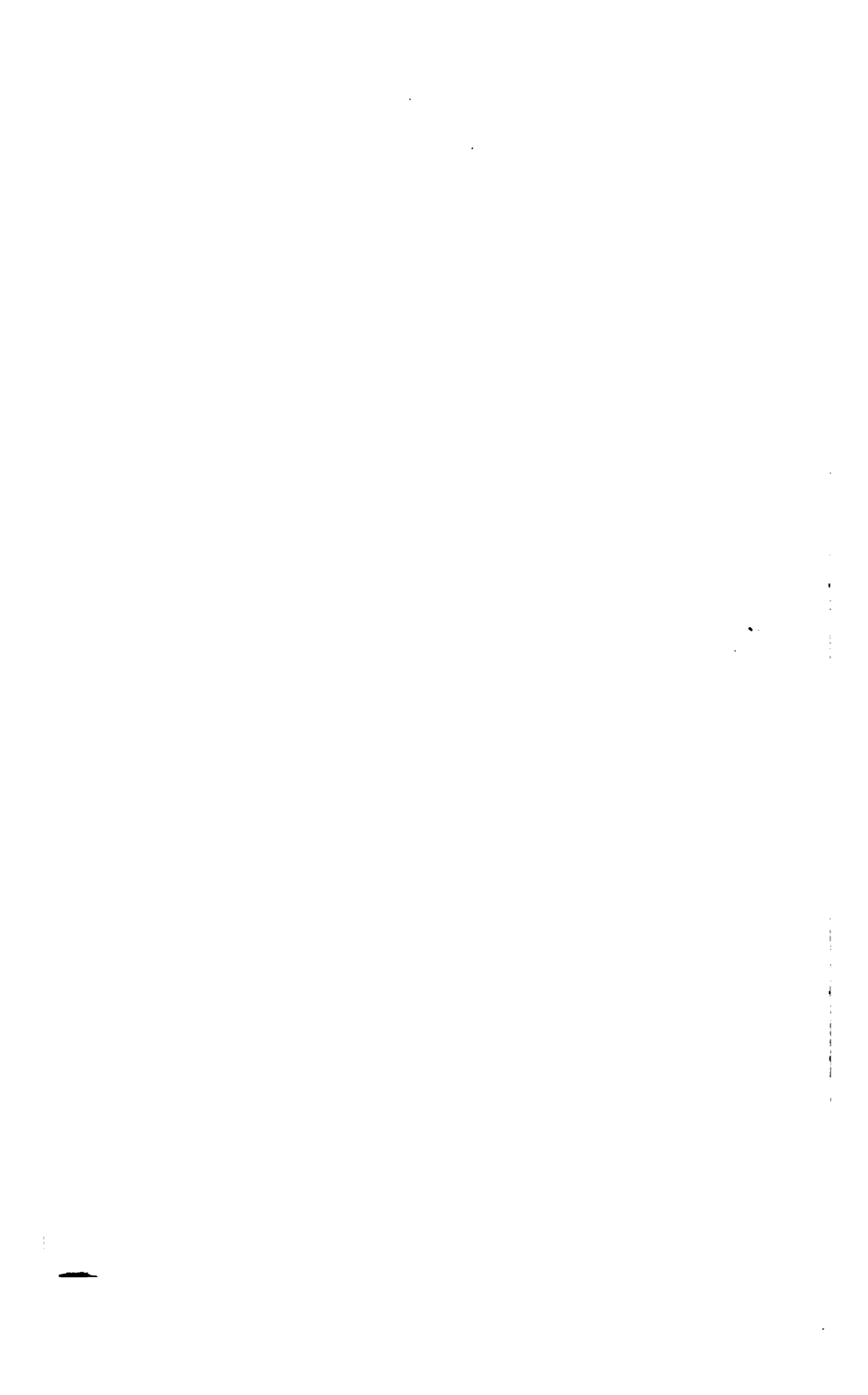
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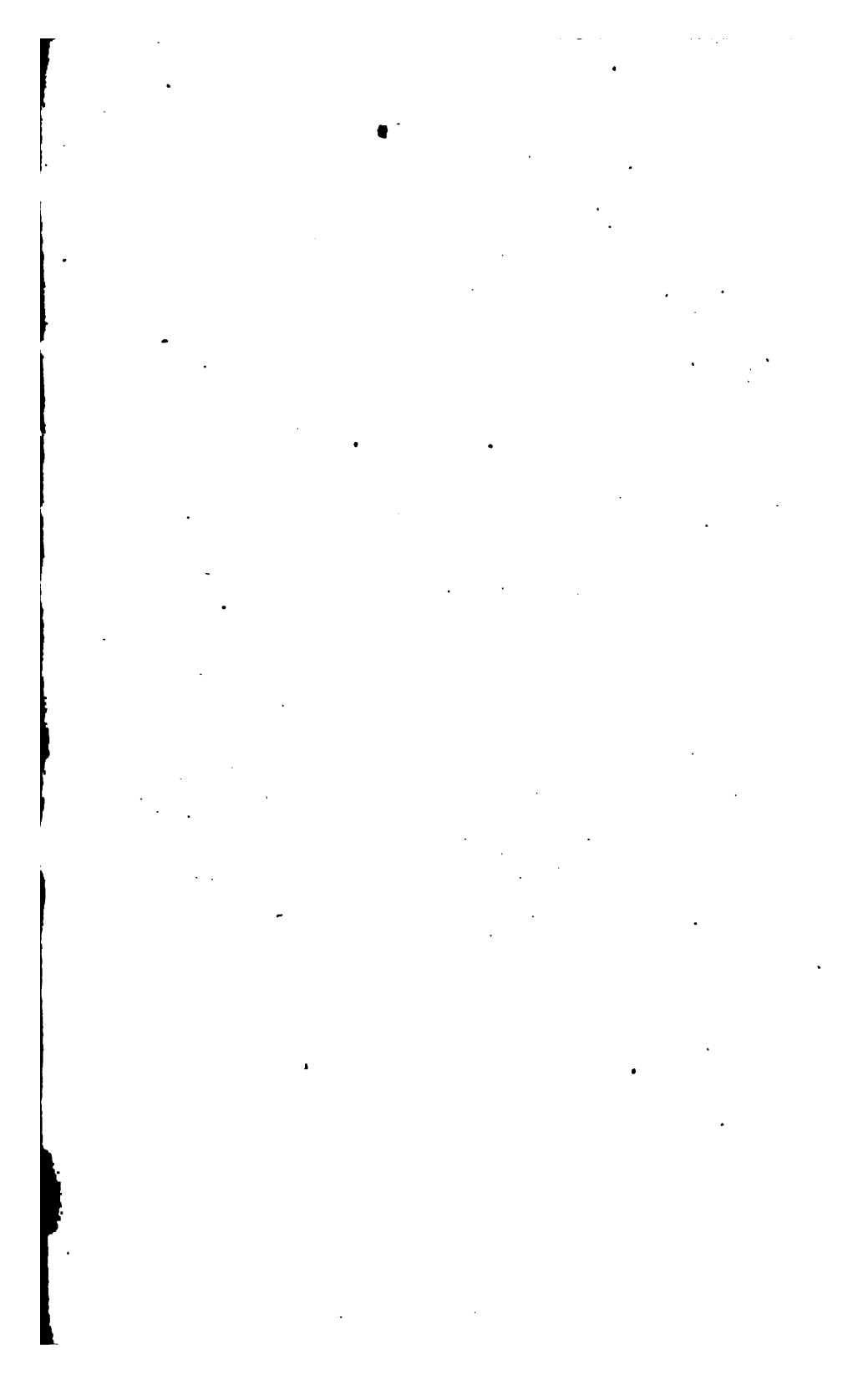
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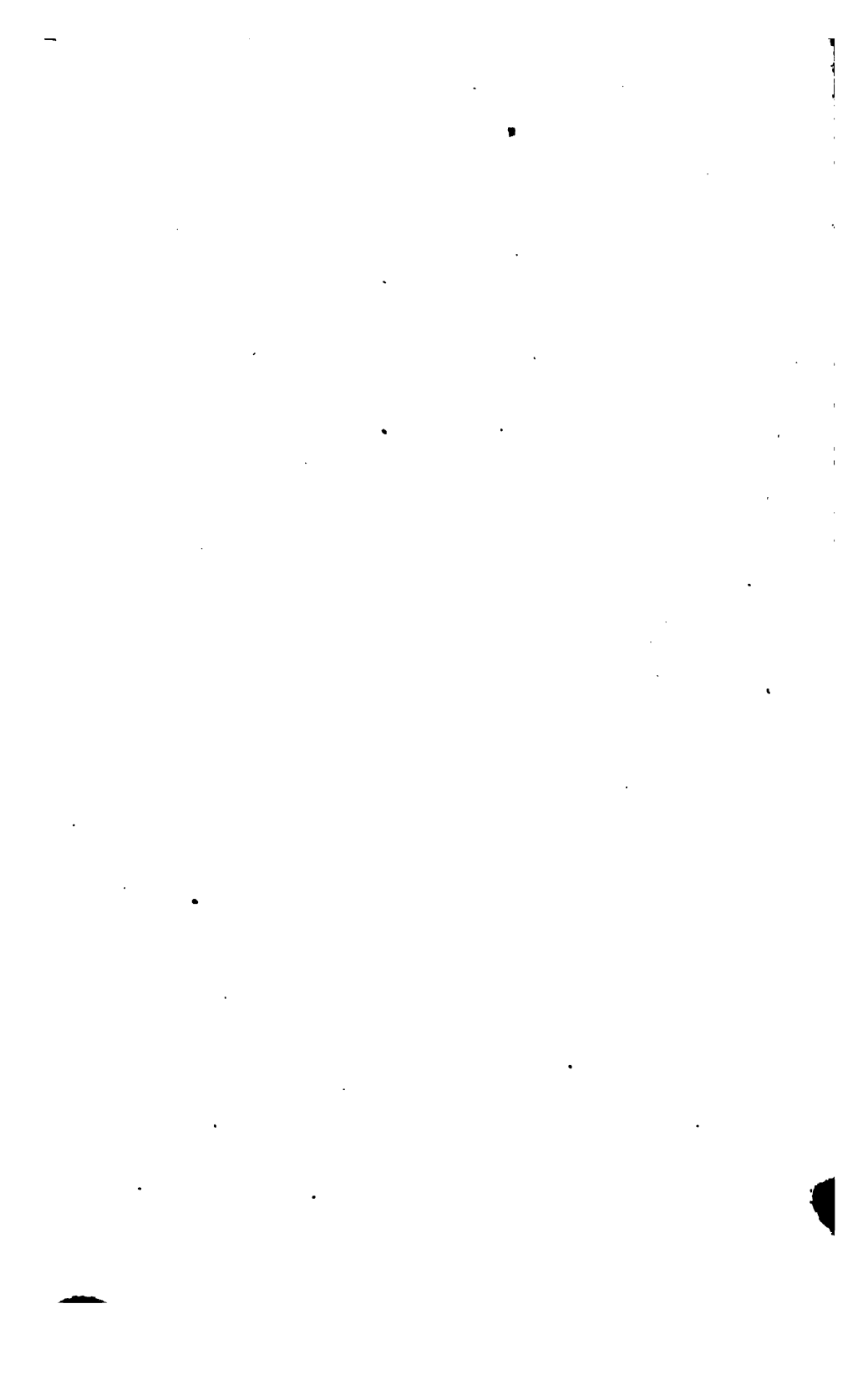


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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MICHIGAN,
1842.

Printed by virtue of an Act of the Legislature, under the supervision and direction of
E. J. ROBERTS,
CLERK OF THE HOUSE OF REPRESENTATIVES.



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1842.

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HOUSE JOURNAL.

Monday, January 3, 1842.

This being the day fixed, by the twenty-first section and fourth article of the constitution of this state, for the meeting of the legislature, the members of the House of Representatives were called to order by the honorable Kinsley S. Bingham, of Livingston, and, on his motion, the honorable Edwin H. Lothrop was unanimously chosen Speaker, *pro tempore*.

On motion of Mr. Wilson, of Lenawee, E. J. Roberts was chosen clerk, *pro tempore*.

On motion of Mr. Howell, of Hillsdale, Salmon Sharp was appointed sergeant-at-arms and door keeper, *pro tempore*.

The Representatives from the several counties being called, there were present, from the counties of

Allegan and Barry—Flavius J. Littlejohn.

Berrien—Alonzo Bennett.

Branch—Enos G. Berry.

Calhoun—Isaac E. Crary, Justus Goodwin.

Cass and Van Buren—Samuel F. Anderson, Fernando C. Annable.

Genesee—Jeremiah R. Smith.

Hillsdale—William T. Howell, John Mickla.

Ingham and Eaton—John M. French.

Ionia, Kent and Ottawa—George W. Dexter.

Jackson—George B. Cooper, Chauncey Hawley, James D. Videtto.

Kalamazoo—Edwin H. Lothrop, Charles E. Stuart.

Lapeer—John M. Lamb.

Lenawee—James H. Woodbury, Charles Blair, Philo Wilson, John C. Ball.

Livingston—Kinsley S. Bingham, Charles P. Bush.

Mackinac—Jonathan P. King.

Macomb—C. B. H. Fessenden, Hiron Hathaway.

Monroe—Austin E. Wing, Levi S. Humphrey.

Oakland—Alfred H. Hanscom, John S. Livermore, Henry S. Babcock, Joseph Arnold, Samuel Axford.

Saginaw—Norman Little.

St. Clair—Cummings Sanborn.

St. Joseph—Otis Preston, John S. Chipman.

Shiawassee and Clinton—Milo H. Turner.

Washtenaw—Orren White, Thomas A. Rice, Walter B. Hewitt, Isaac Magoon, Newton Sheldon, Henry T. Walker.

Wayne—John Norvell, John Scott, Titus Dort, Thomas Lewis, James Gunning.

On motion of Mr. Goodwin,

A committee of three, consisting of Messrs. Goodwin, Littlejohn and Little, were appointed to wait upon one of the judges of the supreme court, and request his attendance.

The committee returned with the honorable Charles W. Whipple, who administered the oath of office to the members present; when,

On the presentation of a certificate from the clerk of the county of Chippewa, stating that Samuel Ashmun, Esq., was elected from that county, Mr. Crary, of Calhoun, presented a memorial and accompanying documents from Joel L. Ankrim, Esq., claiming to be elected the representative from the same county; which were read, and,

On motion of Mr. Norvell, severally laid on the table.

On motion of Mr. Wing, of Monroe,

The House proceeded to the election of Speaker, and, on the names of the members being called, they voted as follows:

FOR KINSLEY S. BINGHAM,

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Babcock,
Mr. Ball,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,

Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Rice,
Mr. Sanborn,

Mr. Bennet,	Mr. Hawley,	Mr. Scott,	
Mr. Berry,	Mr. Hewitt,	Mr. Sheldon,	
Mr. Blair,	Mr. Howell,	Mr. Stuart,	
Mr. Bush,	Mr. Humphrey,	Mr. Videtto,	
Mr. Chipman,	Mr. King,	Mr. Walker,	
Mr. Cooper,	Mr. Lewis,	Mr. White,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Dexter,	Mr. Livermore,	Mr. Wing,	
Mr. Dort,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Magoon,		44

FOR JOHN M. LAMB,

Mr. Little,	Mr. Smith,	Mr. Turner,	3
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FOR AUSTIN E. WING,

Mr. Axford,	Mr. Lamb,		2
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FOR JUSTUS GOODWIN,

Mr. Bingham,			1
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On motion of Mr. Wing,

A committee of two, consisting of Messrs. Wing and Crary, were appointed to wait upon Mr. Bingham, inform him of his election, and wait upon him to the chair.

The Speaker, on taking the chair, addressed the House as follows :

Gentlemen of the House of Representatives :

To reform some of the abuses which have crept into our state government, and to adopt such measures as the public good seems to require, the people have selected, as delegates to this house, men distinguished for their wisdom, their ability and their experience.

I am deeply impressed with the distinguished honor conferred upon me, of presiding over the deliberations of such a body. and for which I desire to return an expression of my profound acknowledgments. I enter upon the duties of this station with much diffidence, but with a fixed determination to avail myself of a knowledge of your rules, which my experience has given me, and give such despatch to our business as will meet the just expectations of our constituents. If I evince a disposition, as I mean to do, to discharge the duties of the chair with the strictest impartiality, I shall rely upon your cordial support and co-operation.

Thanking you again, gentlemen, for this manifestation of your kindness and good will, let me assure you that no effort of mine shall be wanting to retain it.

On motion of Mr. Lothrop,

A committee of two, consisting of Messrs. Lothrop and Norvell, were appointed to wait upon the Senate, and inform that body that the House were now organized and ready to proceed to business.

Senators Greenly and Gidley were announced, informing the House that the Senate were organized and ready to proceed to business.

On motion of Mr. Dort,

Resolved, That the rules of the last House of Representatives be adopted as the rules of this House until otherwise ordered; and that said rules be referred to a committee of five for revision and amendment.

Mr. Norvell offered the following resolution, which, on motion of Mr. Lothrop, was laid upon the table:

Resolved, That Samuel Ashmun and Joel L. Ankrum, each claiming to be the representative in this House from the county of Chippewa, be admitted, as a matter of courtesy, to seats within the bar, with the privilege of speaking on the subject of the contested election, but not of voting on any question until the question shall have been decided by the House; and that the privilege hereby granted, shall not be considered as giving either of the gentlemen any claim to compensation as a member.

On motion of Mr. Wing,

Resolved, That a committee of two be appointed by the House, to act jointly with such committee as may be appointed by the Senate, to inform the Governor that the two Houses are organized and ready to receive any communication he may have to make.

Whereupon, Messrs. Wing and Little were announced as said committee.

On motion of Mr. Goodwin,

Resolved, (if the Senate concur,) That the rules of joint conventions for the last legislature, be adopted until further ordered.

The following message from the Senate, was received by their secretary, D. W. Kellogg, Esq.:

SENATE CHAMBER.
Monday, January 3, 1842. }

To the Speaker of the House of Representatives:

Sir—I am instructed by the Senate to inform you that the Senate

Jan. 3.]

HOUSE OF REPRESENTATIVES.

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have appointed Messrs. Bell and Deming a committee to join the committee on the part of the House, to wait upon the Governor and inform him of the organization of both houses.

And further, sir, I am instructed to return the joint resolution in relation to joint rules for joint conventions, and inform you respectfully, that the Senate have concurred therein.

D. W. KELLOGG,

Secretary of the Senate pro tem.

Messrs. Walker and Hewitt were announced, informing the House that the Senate were ready to meet in joint convention, to canvass the votes for governor and lieutenant governor.

On motion of Mr. Livermore,

Resolved, That a committee of two be appointed by the House, to inform the Senate that the House are in readiness to receive the Senate forthwith, in the hall of the House of Representatives, to canvass the votes for governor and lieutenant governor.

The committee appointed to wait upon the Governor, reported that they had performed the duty assigned them, and were informed by him that he had no communication to make.

IN JOINT CONVENTION.

Senator Kingsley, President *pro tempore* of the Senate, called the convention to order, and the Senators being called by the secretary, all were present except Senators Champlin and Fuller, and on the call of the House of Representatives by the clerk, fifty members were present.

On motion of Mr. Norvell, of the House, the convention proceeded to canvass the votes for governor and lieutenant governor.

On motion of Senator Greenly, Senator Gidley and Mr. Stuart of the House were appointed tellers, who, upon receiving and examining the returns of votes from the several counties, made their report, and the President of the Senate announced John S. Barry as being duly elected governor of the state, and Origen D. Richardson as lieutenant governor, by the following vote :

John S. Barry received for the office of governor,	20,795
Philo C. Fuller,	15,469
Jabez S. Fitch,	1,214

Majority for John S. Barry,

4,112

Or'gen D. Richardson, for the office of lieutenant governor,	20,753
Edmund B. Bostwick,	15,536
Nathan Power,	1,255
Majority for Origen D. Richardson,	3,962

Mr. Goodwin, of the House, offered the following preamble and resolution, which were adopted :

Whereas, by the usual and constitutional canvass of the votes for governor and lieutenant governor, it appears that John S. Barry has received the highest number of all the votes given for governor, and Origen D. Richardson the highest number of all the votes given for lieutenant governor ; therefore,

Resolved, That this convention declare John S. Barry governor, and Origen D. Richardson lieutenant governor of the state of Michigan.

On motion of Senator Trowbridge, a committee of two, consisting of Senator Trowbridge and Mr. Hunscom, of the House, were appointed to wait upon the Governor and Lieutenant Governor elect, inform them of their election, and that the convention were in readiness to induct them into office.

John S. Barry and Origen D. Richardson were then presented to the convention, and subscribed to their respective oaths of office before the chief justice, William A. Fletcher, and thereupon Governor Barry delivered the following inaugural address :

Fellow Citizens of the Senate and House of Representatives :

Having now taken, in your presence, the oath prescribed by the constitution, and accepted the high obligations and responsibilities imposed, I enter upon their discharge with unaffected diffidence, and with an anxious desire to serve the people to the utmost of my ability. It will be my duty to communicate to you, without delay, the situation of the state ; but a custom, coeval with the state government, requires a brief exposition of my sentiments at this time. I would not, willingly, omit any of the proprieties of the occasion, but shall trespass on your attention for a few moments only.

It is our peculiar privilege to live under institutions which secure, in harmonious union, universal freedom and equality of rights, and

the undisputed supremacy of wise and beneficent laws. In the old world, an endless struggle is maintained between the liberty of the people and the sovereignty of the government. Here, government is strong only in the affections of the people, whose sovereign will, periodically expressed, is the legitimate source of its authority. Hence, the ready obedience which its lawful demands ever receive from all good citizens. Hence, the general unanimity with which every rank, party and sect, rally to the defence of the country in the hour of trial and danger. Hence, amidst all our political and religious dissensions, the foundations of society and government are never shaken or endangered. Religious zeal, which, in other times, has stifled truth or persecuted error by the faggot and the rack, is here displayed only in the conflicts of reason and argument, or in emulous labors of beneficence and charity. And political ambition, which, in other lands, points the assassin's dagger at the breast of the monarch, or quells the murmurs of a starving people by the trampling of horsemen or the roar of cannon, is here exhibited only in rival efforts to promote the common weal. All unite to support the government of the people, because all enjoy its equal and unspeakable benefits. Let us seek then to maintain our admirable institutions in their republican simplicity and purity, in the patriot's hope and prayer that they may be perpetual.

In nothing gentlemen, is the superiority of republican institutions more manifest, than in the ease and simplicity with which they are administered. Under monarchical and aristocratic systems which prevail in other countries, the skill of the most experienced and sagacious statesman is exhausted to preserve the complicated machinery of government from disorder. No progress is expected, and the sole hope is to save it from ruin. Vast sums are lavished—great armies maintained—all the splendors and allurements of a magnificent court displayed at infinite cost, and yet the first public calamity spreads confusion and alarm throughout the empire. The cumbrous and artificial fabric is ever ready to break into pieces under its own weight. But our institutions, founded on the firm basis of nature and equal rights, and supported by the mutual interests of the people, are strong and prosperous in the simple wisdom of their principles, without the dangerous aids and cunning contrivances of subtle politicians. True

republicans are wise statesmen. Plain men of sound heads and honest hearts, untrained in the arts of politics, are found adequate to the highest and most responsible duties of government. A strict adherence to the great principles of democracy, is better than a thousand schemes of political craft. The true aim, indeed, of a republican magistrate is, to refrain from the exercise of power not delegated; to abstain from all interference with the pursuits of the private citizen, and to give full scope to the inexhaustible energies of a free people. Let there be certainty in the laws, economy in expenditures, and a faithful administration of government, and the people will take care of themselves. The main design of a republican government, is to protect the citizen in the enjoyment of his liberty, and the property his own industry has acquired. The doubtful doctrines of political expediency, ever varying from the republican standard, for the sake of some temporary advantage, lead continually to the establishment of special privileges and corporate immunities, and to innumerable schemes tending to enrich or elevate the few at the expense of the many. Strict adherence to the fundamental principles of republican government, can alone secure, alike to all, the inestimable blessings of equal rights.

Our own state furnishes a striking example of the benign influences of republican institutions, while unfortunately the evil effects of a temporary departure from the genuine principles may also be gathered from her brief history. Six years have now elapsed since the people of Michigan assumed the rights and responsibilities of self-government. Difficulties, still fresh in your recollection, obstructed her admission into the Union, and she finally took her position among the states, only after a surrender of a valuable portion of her territory. Her subsequent growth has proceeded with a rapidity unknown in less favored countries, and scarcely equalled by any sister state; and if yet inferior to a majority in population and wealth, the time is fast approaching when she will be entitled to stand in the first rank. The intelligence and enterprise of her people, the salubrity of her climate, the fertility of her soil, and her unrivalled position in the midst of navigable waters, washing her shores on every side, are sure guaranties of her future prosperity and greatness. The madness of speculation, which at one time pervaded the whole

country, and which fell with full force upon Michigan, has long since subsided. Doubtful enterprizes and hazardous schemes, in the hope of sudden wealth, which were encouraged by the spirit of that day, have given place to more solid and rational plans for the acquisition of property. The substantial improvement of the country, every where, begins already to exhibit the fruits of the change. The stern lessons which the people have learned in this regard, cannot fail to make a deep and abiding impression upon them, and above all, upon their government.

It cannot be concealed, that embarrassments of no ordinary magnitude oppress the finances of the state. The public debt is heavy, and the immediate demands upon the treasury are beyond its present ability to meet. Creditors at home, the justice of whose claims cannot be denied, are urgent for payment, and wait but with extreme impatience. Abroad, grave questions, involving the extent of our liabilities, and which, in their settlement, may deeply affect the character of our state, are earnestly presented for our decision. In the numerous and perplexing wants, of a new country, the weight of taxation is already severely felt, and any addition might be borne with impatience.

But while we see and acknowledge the full force of these embarrassments, we should not allow ourselves to be dismayed. When we consider the almost boundless resources of Michigan, and recollect the invincible energies of her people, we are assured that any obstacle will, in time, be overcome. True patriotism, indeed, never despairs. The difficulties which environ our path, should serve only to quicken our zeal and to prompt us to greater exertion for the common good.

To you, gentlemen, the chosen representatives of the people, are committed important trusts, demanding the highest efforts of wisdom and patriotism. My best powers shall be devoted with unswerving fidelity to aid and co-operate with you in your arduous labors. Unmixed success cannot be hoped for in human affairs; but, under the blessings of Providence, I trust that after a brief period, you will be able to return to your constituents, bearing the proud consciousness of having done something to elevate the character of the state, and to advance the interests of the people.

At the conclusion of the address, the convention, on motion of Senator Wixom, adjourned *sine die*.

D. W. KELLOGG,
Secretary of the Senate pro tem.

E. J. ROBERTS,
Clerk House of Representatives pro tem.

The House of Representatives were then called to order, and on motion of Mr. Hanscom, it was

Resolved, That Asahel S. Bagg be appointed to do the printing necessary for this House, until it is otherwise ordered.

Mr. Hanscom announced that his colleague, John A. Wendell, Esq., from the county of Oakland, was now present, whereupon the oath of office was administered to that gentleman, and he took his seat.

Mr. Lamb gave notice that he would soon ask leave to introduce a bill repealing an act entitled "An act suspending certain provisions of law and for other purposes," approved April 12, 1841.

The Speaker announced as the committee on rules and orders, Messrs. Dort, Little, Crary, Wing and Lothrop.

On motion of Mr. Lamb, the House adjourned until to-morrow morning at 10 o'clock.

Tuesday, January 4, 1842.

The House met pursuant to adjournment.

The roll being called, the same members were present as yesterday.

The journal was read and corrected.

PETITIONS.

By Mr. Lothrop. Of inhabitants of the town of Brady, county of Kalamazoo, for the organization of a separate township in said county. Laid on the table.

By Mr. Little. Of citizens of the county of Saginaw for the organization of a separate township. Laid on the table.

NOTICES.

Mr. Gunning gave notice that he would at some future day ask

leave to bring in a bill to fix the pay of members of the Legislature at two dollars and fifty cents each, per day, and for other purposes.

Mr. Bush gave notice that at some future day he should ask leave to introduce a bill to repeal the law authorizing or requiring the county treasurers to return lands delinquent for taxes to the auditor general's office.

Mr. Norvell gave notice that he would to-morrow or the next day ask leave to introduce a bill to exempt certain articles of property from sale on execution.

Mr. Hanscom gave notice that he should at some early day introduce a bill to authorize the county commissioners of the county of Oakland to raise, by a tax, a sum of money for the purpose of erecting a court house in said county.

RESOLUTIONS.

On motion of Mr. Dort,

Resolved. That the secretary of state be instructed to furnish the tables of the members of the House of Representatives with one copy each of the revised statutes, of the session laws of the last legislature, and one copy each of the journals and documents of the last session of the legislature.

On motion of Mr. Lothrop,

Resolved. That the House now proceed to the election of the following officers: a chief clerk, a sergeant-at-arms and door keeper, and an engrossing and enrolling clerk.

The House then proceeded to the election of clerk, and on calling the roll, the members rose in their places and voted as follows:

FOR E. J. ROBERTS,

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Annable,	Mr. Gunning,	Mr. Preston,
Mr. Arnold,	Mr. Hanscom,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Sanborn,
Mr. Babcock,	Mr. Hawley,	Mr. Scott,
Mr. Ball,	Mr. Hewitt,	Mr. Sheldon,
Mr. Bennett,	Mr. Howell,	Mr. Stuart,
Mr. Berry,	Mr. Humphrey,	Mr. Smith,
Mr. Blair,	Mr. King,	Mr. Turner,
Mr. Bush,	Mr. Lamb,	Mr. Videtto,
Mr. Chipman,	Mr. Lewis,	Mr. Walker,
Mr. Cooper,	Mr. Little,	Mr. Wendell,
Mr. Crary,	Mr. Littlejohn,	Mr. White,

Mr. Dexter,	Mr. Livermore,	Mr. Wilson,
Mr. Dort,	Mr. Lothrop,	Mr. Wing,
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Mickle,	Mr. Speaker, 51

Whereupon the Speaker announced E. J. Roberts as unanimously elected clerk, and the House proceeded to the election of sergeant-at-arms and door keeper, and the vote stood as follows :

FOR TIMOTHY S. SMITH,

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Annable,	Mr. Gunning,	Mr. Preston,
Mr. Arnold,	Mr. Hanscom,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Sanborn,
Mr. Babcock,	Mr. Hawley,	Mr. Scott,
Mr. Ball,	Mr. Hewitt,	Mr. Sheldon,
Mr. Bennett,	Mr. Howell,	Mr. Smith,
Mr. Berry,	Mr. Humphrey,	Mr. Stewart,
Mr. Blair,	Mr. King,	Mr. Turner,
Mr. Bush,	Mr. Lamb,	Mr. Videtto,
Mr. Chipman,	Mr. Lothrop,	Mr. Walker,
Mr. Cooper,	Mr. Lewis,	Mr. Wendell,
Mr. Crary,	Mr. Little,	Mr. White,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dort,	Mr. Livermore,	Mr. Wing,
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Mickle,	Mr. Speaker, 51

The Speaker declared Timothy S. Smith as duly elected sergeant-at-arms and door keeper.

Mr. Livermore moved that the election of enrolling and engrossing clerk be postponed until to-morrow ; and the yeas and nays being called for, the motion was lost by the following vote :

YEAS.

Mr. Arnold,	Mr. Hanscom,	Mr. Norvell,
Mr. Axford,	Mr. Hawley,	Mr. Wendell,
Mr. Babcock,	Mr. Little,	Mr. Woodbury,
Mr. Goodwin,	Mr. Livermore,	11

NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Rice,
Mr. Annable,	Mr. Hathaway,	Mr. Sanborn,
Mr. Ball,	Mr. Hewitt,	Mr. Scott,
Mr. Bennett,	Mr. Howell,	Mr. Sheldon,
Mr. Berry,	Mr. Humphrey,	Mr. Smith,
Mr. Bush,	Mr. King,	Mr. Stuart,
Mr. Chipman,	Mr. Lamb,	Mr. Turner,
Mr. Cooper,	Mr. Lothrop,	Mr. Videtto,
Mr. Crary,	Mr. Lewis,	Mr. Walker,

Mr. Dexter,	Mr. Littlejohn,	Mr. White,	
Mr. Dort,	Mr. Magoon,	Mr. Wilson,	
Mr. Fessenden,	Mr. Mickle,	Mr. Speaker,	
Mr. French,	Mr. Preston,		38

The House proceeded to the election of enrolling and engrossing clerk, and the vote stood as follows :

FOR ALEXANDER M. ARZENO,

Mr. Anderson,	Mr. Goodwin,	Mr. Preston,	
Mr. Annable,	Mr. Gunning,	Mr. Rice,	
Mr. Ball,	Mr. Hathaway,	Mr. Sanborn,	
Mr. Bennett,	Mr. Hawley,	Mr. Scott,	
Mr. Berry,	Mr. Hewitt,	Mr. Sheldon,	
Mr. Blair,	Mr. Howell,	Mr. Stuart,	
Mr. Bush,	Mr. Humphrey,	Mr. Videtto,	
Mr. Chipman,	Mr. King,	Mr. Walker,	
Mr. Cooper,	Mr. Lothrop,	Mr. White,	
Mr. Crary,	Mr. Lewis,	Mr. Wing,	
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Dort,	Mr. Magoon,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Mickle,	Mr. Speaker,	
Mr. French,	Mr. Norvell,		41

FOR J. T. RAYNOR,

Mr. Arnold,	Mr. Hanscom,	Mr. Turner,	
Mr. Axford,	Mr. Lamb,	Mr. Wendell,	
Mr. Babcock,	Mr. Livermore,		8

FOR THOMAS F. BROADHEAD,

Mr. Little,	Mr. Smith,		2
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The Speaker announced Alexander M. Arzeno as duly elected enrolling and engrossing clerk, and the clerk of the House and sergeant at-arms and door keeper, were severally sworn into office.

On motion of Mr. Chipman,

Resolved, That a committee of two be appointed, to meet a similar committee from the Senate, to call upon the Governor and inform him that the two Houses are prepared to receive from him such communications as may be his pleasure to submit.

The Speaker announced Messrs. Chipman and Rice as the committee on the part of the House.

On motion of Mr. Bush,

Resolved, That the clerk of the House be instructed to make some arrangement that the documents printed for the use of this House, be regularly distributed among the members.

On motion of Mr. Goodwin,

Resolved, That the printer of the documents of this House be required so to print and page them, that they will be suitable to bind at the close of the session, without re-printing, and that copies be furnished for that purpose.

On motion of Mr. White,

Resolved, That the clerk of this House invite the reverend clergy of the city of Detroit to officiate alternately at the opening of the morning sessions, by prayer, and that they receive such compensation only as the members shall voluntarily contribute.

On motion of Mr. Fessenden,

Resolved, That the Speaker be authorized to appoint two messengers to this House.

Mr. Dort offered the following resolution :

Resolved, That the clerk of the House furnish, at the expense of the state, to each member of the House of Representatives, such newspapers as they shall respectively direct, not exceeding in value one daily paper.

Mr. Norvell called for the yeas and nays, and the motion was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Dexter,	Mr. King,	
Mr. Annable,	Mr. Dort,	Mr. Mickle,	
Mr. Arnold,	Mr. Hewitt,	Mr. Turner,	
Mr. Babcock,	Mr. Howell,		11

NAYS.

Mr. Axford,	Mr. Hathaway,	Mr. Scott,	
Mr. Ball,	Mr. Hawley,	Mr. Sheldon,	
Mr. Berry,	Mr. Humphrey,	Mr. Smith,	
Mr. Bennett,	Mr. Lamb,	Mr. Stuart,	
Mr. Blair,	Mr. Lewis,	Mr. Videtto,	
Mr. Bush,	Mr. Little,	Mr. Walker,	
Mr. Cooper,	Mr. Littlejohn,	Mr. Wendell,	
Mr. Crary,	Mr. Livermore,	Mr. White,	
Mr. Fessenden,	Mr. Lothrop,	Mr. Wilson,	
Mr. French,	Mr. Magoon,	Mr. Wing,	
Mr. Goodwin,	Mr. Norvell,	Mr. Woodbury,	
Mr. Gunning,	Mr. Preston,	Mr. Speaker,	
Mr. Hanscom,	Mr. Sanborn,		88

Mr. Lamb moved a reconsideration of the vote, which was lost.

Mr. Howell offered the following resolution :

Resolved, That all necessary stationery for the use of the mem-

bers of this House, be furnished by the individual members at their own expense.

Mr. Livermore moved to amend the resolution by striking out the word "necessary," and inserting "unnecessary."

Mr. Norvell moved to amend by striking out the word "necessary," and called for a division of the question.

Mr. Howell withdrew the resolution.

Mr. Norvell renewed it, and the yeas and nays being called for, the resolution was rejected, as follows :

YEAS.

Mr. Axford,	Mr. Gunning,	Mr. Lamb,
Mr. Bush,	Mr. Hanscom,	Mr. Norvell,
Mr. Cooper,	Mr. Hathaway,	Mr. Turner,
Mr. Crary,	Mr. Hawley,	Mr. Wing,
Mr. Dort,	Mr. Hewitt,	Mr. Woodbury,
Mr. Fessenden,	Mr. Howell,	

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NAYS.

Mr. Anderson,	Mr. Humphrey,	Mr. Sanborn,
Mr. Annable,	Mr. King,	Mr. Scott,
Mr. Arnold,	Mr. Lothrop,	Mr. Sheldon,
Mr. Babcock,	Mr. Lewis,	Mr. Smith,
Mr. Ball,	Mr. Little,	Mr. Stuart,
Mr. Bennett,	Mr. Littlejohn,	Mr. Videtto,
Mr. Berry,	Mr. Livermore,	Mr. Walker,
Mr. Blair,	Mr. Magoon,	Mr. White,
Mr. Chipman,	Mr. Mickle,	Mr. Wilson,
Mr. French,	Mr. Preston,	Mr. Speaker,
Mr. Goodwin,	Mr. Rice,	

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Mr. Goodwin offered the following resolution :

Resolved, That all stationery furnished for the use of this House, be deposited in the state library, and that the librarian keep an account of the amount delivered to each member.

Mr. Lamb moved the indefinite postponement of the resolution ; and the yeas and nays being called for, the motion was lost, by the following vote :

YEAS.

Mr. Axford,	Mr. Howell,	Mr. Smith,
Mr. Bennett,	Mr. Humphrey,	Mr. Stuart,
Mr. Blair,	Mr. King,	Mr. Turner,
Mr. Bush,	Mr. Lamb,	Mr. Videtto,
Mr. Cooper,	Mr. Little,	Mr. Wilson,
Mr. Dexter,	Mr. Livermore,	Mr. Wing,

Mr. Hanscom,
Mr. Hathaway,

Mr. Mickle,

Mr. Woodbury,

22

NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Babcock,
Mr. Ball,
Mr. Berry,
Mr. Crary,
Mr. Dort,
Mr. Fessenden,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hewitt,
Mr. Lewis,
Mr. Lothrop,
Mr. Littlejohn,
Mr. Magoon,
Mr. Norvell,

Mr. Preston,
Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Speaker,

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The question was then put on the resolution, and carried by division twenty-nine to seventeen.

Mr. Lothrop called up the following resolution, offered by Mr. Norvell yesterday, and laid on the table upon his motion, and the same was adopted :

Resolved, That Samuel Ashmun and Joel L. Ankrim, each claiming to be a representative in this House from the county of Chippewa, be, as a matter of courtesy, admitted to seats within the bar, with the privilege of speaking on the question of the contested election in that county, but not of voting upon any question ; and that the privilege hereby granted, shall not be considered as conferring a title to receive compensation upon either of the gentlemen, as a member.

The following message was received from the Senate, by their secretary, Mr. Kellogg :

SENATE CHAMBER,
Tuesday, January 4, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House of Representatives a joint resolution authorizing the Governor to employ a private secretary, which the Senate have passed, and respectfully ask the concurrence of the House of Representatives therein.

D. W. KELLOGG,

Secretary of the Senate pro tem.

Also, the following message from the Senate :

SENATE CHAMBER,
Tuesday, January 4, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to inform you respectfully,

that the Senate refuse to concur in the House joint resolution for the appointing a committee to wait upon the Governor and inform him that the two Houses are ready to receive from him any communication he may be pleased to make.

D. W. KELLOGG,

Secretary of the Senate pro tem.

Whereupon, on motion of Mr. Crary, the House adhered to their resolution, and appointed as a committee of conference on their part, Messrs. Crary and Chipman.

Mr. Dort, the chairman of the committee on rules, made a report, which,

On motion of Mr. Bush, was referred to the committee of the whole House, Mr. Wing in the chair; and after some time spent thereon, the committee rose and reported progress, and asked leave to sit again.

The following message was announced from the Senate :

SENATE CHAMBER, }
Tuesday, January 4, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to inform you that that body have reconsidered the vote by which it refused to concur in the House joint resolution relative to the appointment of a joint committee to wait upon the Governor, and inform him of the readiness of the legislature to receive any communication he may have to make, and that the Senate have concurred in and adopted the said resolution, and appointed, on their part, Senators Bell and Wakefield, said committee.

D. W. KELLOGG,

Secretary of the Senate pro tem.

Whereupon, the committee waited upon the Governor, and reported that he would forthwith communicate his message to both Houses.

The message of the Governor was then presented to the House by C. C. Jackson, Esq., and the same was read by the clerk, as follows :

Fellow citizens of the Senate and House of Representatives:

You are assembled by a wise provision of our constitution to perform important duties, which that instrument requires you to discharge. To you is committed, for the time, the care of our young and rising state. On you is devolved the paramount duty of devising such measures as will ensure her prosperity. Yet, while our organic law thus imposes on you such high duties and responsibilities, the same organic law, in some degree, commingles the duties and responsibilities of the executive with those more emphatically assigned to you. Every bill and resolution, before it takes effect as law, is required to be presented to the executive for his approval; and the executive is also required, at every session, to communicate to you, by message, the condition of the state, and to recommend such measures as he may deem necessary for the public good. While, therefore our duties, to some extent, are common, and our responsibilities also common, the interests of our constituents will be best promoted by a cultivation of that spirit of harmony which should ever characterize the intercourse between the legislative and executive branches of the government.

During the past year, our free institutions have been preserved to us inviolate; general and almost universal health has prevailed; peace abroad has been maintained, and, at home, we have been preserved from domestic violence; our fields have produced rich harvests, and plenty and prosperity abound on every hand. For these and other manifold blessings, we are indebted to the mercies of Divine Providence, to whom we should not be forgetful continually to render thanks.

The universal education of all classes of our citizens is so necessary, and its propriety so generally conceded, that I need hardly urge upon you its importance. By reference to history we learn, and from observation we know, that, just in proportion as the masses have been enlightened, in the same proportion have their rights as men been protected. The rights of personal liberty and of personal security, were never conceded by lords to their vassals, until the latter, after ages of galling oppression and ignominious servitude, by degrees, obtained a hold on the fountain of knowledge.

The moral and political condition of a people depends, in the main,

upon the degree of knowledge and amount of useful information diffused abroad among the mass. Within our own recollection, other republics have risen and fallen, and the scenes of intestine commotion which they have constantly exhibited, and which, sooner, or later, have caused their overthrow, resulted from a want of general education, and the consequent destitution of virtue in their inhabitants. The democracy of learning, if I may be permitted to use the expression, is, then, essential to the permanency of a republican government, and we can transmit to the rising generation, the happy political freedom which we enjoy, only by granting them the benefits of education. They are committed to our keeping, and without our fostering care, will grow up in ignorance and vice.

The revenue for the support of common schools, not derived from taxation, consists, mainly, in the interest arising from the proceeds of the sale of school lands, and the rents of such portions of them as may have been leased. If a judicious and proper use be made of this revenue, it is probable that, at a period not very remote, if insufficient to educate all the youth of the state, it will at least contribute much towards that desirable object.

Above all others, the laws on the subject of common schools should be plain, simple, and easy to be understood. They should be as independent of all other enactments, as the nature of the case admits, and, to a proper understanding of them, it should not be necessary to refer to legislation on other subjects. Such, however, is not the present condition of our legislation on this important subject. The enactments are various and are scattered through many volumes, and it is with difficulty that their meaning can, in all cases, be ascertained. To obviate these objections, I respectfully recommend their entire revision. All the various enactments on the subject, should be condensed into one, and published in such convenient form as will insure a circulation in every neighborhood and district in the state. The lights of experience, and a reference to common school systems of other states, may enable you to make such improvements as, by giving a new impulse to education, will result in general and permanent good. I am, however, induced to believe, that the main provisions of the system, as it now exists upon our statute books, should be retained, as far as you think the best interests of the pub-

lic will permit. Innovations should not be permitted, but with abundant caution, and after the most careful examination. Servile adhesion to ancient precedents and long established customs, should not, however, be permitted to take such entire possession of our minds, as thereby to induce us to reject the benefits resulting from an adoption of the improvements of the age. Among the alterations you may deem advisable to make, perhaps none is more worthy of your consideration, than the subject of taxation necessary for the support of the system. The right to impose taxes, is one of the highest prerogatives of sovereignty, and the delegation of that right should be made with the greatest caution. Complaints have been made, perhaps in some degree well founded, that, in the assessment and collection of taxes for the erection and repair of school houses, great injustice has resulted from the unequal manner in which such taxes have been levied. If, after inquiring into the causes of such complaints, you find they really have foundation in truth, you will doubtless correct the evil, by interposing such legislation as the exigency of the case may require.

The office of superintendent of public instruction, is established by the constitution itself, and cannot be abolished by law, were it even deemed advisable. I cannot, however, refrain from calling your attention to the fact, that the duties of a fiscal character, by law imposed upon that officer, are in no wise consistent with the duties of a literary character, which it is more particularly his province to perform, and to which end the office itself was constituted. It is, indeed, but seldom we find one and the same individual competent to discharge, satisfactorily to himself even, duties so adverse, and which, to their proper performance, require order of talent and qualifications so opposite. While, then, you cannot, by legislation, abolish the office of superintendent of public instruction, it will be entirely competent for you to relieve the incumbent of that office from all duties of a fiscal character, which are now imposed upon him by law. As it is desirable to limit, so far as may be consistent with a due regard to public interest, the number of officers who are entitled to salaries for their services, it may be worthy of your consideration, in case you assign to another the fiscal duties of the superinten-

dent, whether they may, with advantage and safety, be superadded to those of state treasurer or some other state officer.

If, however, you should be of opinion, that the short period allotted to your present session, will not give sufficient time and opportunity for the completion of so desirable an object, in a manner that may be satisfactory to yourselves and most beneficial to the public, then, perhaps, it may comport with your views to direct, by law, the superintendent of public instruction to prepare and submit such revision to you at your next annual meeting.

The annual report of the regents of the university of Michigan, will, doubtless, be transmitted to you by the superintendent of public instruction. The usefulness of that institution has, hitherto, been restricted to its branches. In them have been taught the elements of knowledge and science usually taught in high schools and academies in the eastern states of this Union. Next to common schools, the branches of the university are destined to be of the greatest importance to the people of the state. In the year 1840, the number of students was two hundred and forty-seven. During that year, seven branches were in operation, and the sum of \$10,188 37, was expended in the payment of salaries of teachers. The two preceding years, the sum of \$13,150 09, was expended for that purpose in the same number of branches. In making these large and apparently enormous expenditures, the motives of the regents are above suspicion. They were, beyond all doubt, actuated by no other than motives of public good. It is, however, respectfully submitted to your consideration, whether the interests of education would not be more eminently promoted by some provision of law, having for its object the increase of the number of branches, if available funds for that purpose be at command, and the limitation of the amount to be appropriated to each. It is believed that a sum of from three to five hundred dollars, appropriated by the board, together with such sums as might be received for tuition, superadded to such other encouragement as would, of course, be voluntarily afforded at the places of location, would secure the services of persons well qualified to teach, and every way competent to take charge of the branches. If such be the case, of which there can be little doubt, then, with a much less expenditure in the aggregate, the number of branches might be

greatly increased and the benefits of education more extensively diffused. I press the subject upon your attention with great earnestness, because I am of opinion, that the usefulness of the university will be incalculably greater to the people of the state through its branches, than through the mother institution itself. By means of its branches, the blessings of a high grade of education will be brought within the reach of nearly all the rising generation, while the number to be instructed in the university proper, must, comparatively speaking, be necessarily few. Keeping always in view, then, the object for which the fund was granted, and, in no degree departing from the intentions of the grantors, it is our duty to give such direction to the control of this important institution, as will result in the greatest good to our fellow citizens and best insure the extension of the cause of science.

By reference to the report of the regents for 1839, it will be seen that \$26,896 19, were expended in the construction of buildings that year, and the further sum of \$22,867 22, was expended for the same purpose the succeeding year. Thus, in 1839 and 1840, was expended the sum of \$49,764 41, in erecting buildings for the use of the university, and which were not then completed. The amount, if any, expended since, is unknown to me. These vast expenditures, for the construction of university buildings, as well as those for the support of branches, have probably been made mostly from the proceeds of a loan made in pursuance of "An act to authorize a loan of a certain sum of money to the university of Michigan," approved April 6, 1838. This loan, and the consequent extravagant expenses incurred, were induced by the paper money mania which, with such blighting effects, has pervaded this otherwise happy land. No particular blame is to be attached to the regents; they but participated in the common delusion of their fellow citizens.

The large and commodious buildings, which have been constructed with so much expense, will doubtless, at some future period, be wanted for occupation and use; but the paucity of the university fund, and the present and prospective limitation of its availability, should have postponed their erection for many years. The whole expense incurred for cabinet and library, up to and including the year 1840, amounts to \$9,777 42. This expenditure, though seemingly large,

was, if not indispensable to the prosperity of the institution, at least less objectionable than the expenses incurred in erecting such expensive buildings.

By a joint resolution relative to the university of Michigan, approved March 25, 1840, it is made the duty of the board of regents to report to you such alterations as they deem necessary to be made in the laws of the state relative to the university. The only report, made in compliance with this resolution, may be found in the joint documents of the last session, and to which I respectfully invite your attention. In that report, the regents recommend such alteration in the law on that subject, as will give to them the entire trust and management of the funds, and, in all other respects, the absolute control of the institution, subject and responsible only to the legislature, to which body they wish to make all reports of their proceedings. I respectfully recommend this proposition to your serious and attentive consideration. The high character of the regents, and their experience, derived from long exercise of the functions of their office, give additional weight to their recommendation, and will, I am certain, ensure that attention from you, which the importance of the subject demands.

It is greatly to be desired, that the true extent and condition of the university fund be made known to the public, in order that its capacity for usefulness may be fully understood. The public have an intense anxiety to be informed of its ability to give assistance to education, as well by means of its branches already in operation, as by others desired in various portions of the state. Such a knowledge of the condition of the fund, is also indispensably necessary to such ulterior legislation as, in your wisdom, may be deemed expedient. I therefore respectfully recommend, that you give the subject in charge to some appropriate committee, accompanied with the instruction, that, after having made the inquiry and investigation, they report the result of their labors for the use of the public.

Among other duties enjoined upon you by the constitution of the state, is that of encouraging agricultural improvement. The framers of that instrument early foresaw, that the greater portion of our wealth must be derived from this branch of industry, and wisely provided that it should receive the fostering care of legislation. The

great and paramount importance of the agricultural interest would, I doubt not, without any such injunction, induce you to take it into favorable consideration. It is to the cultivation of the soil that our citizens are to look, in the main, for prosperity and happiness; although other branches of industry can and will be pursued with profit and success. Water power is abundant and to be found in every section of the state, and wool can be produced with as little expense as in any other portion of the Union. The cotton of the south can be brought to us through the canals of all the adjoining states, with inconsiderable expense. Notwithstanding all these great and signal advantages in favor of manufactures, we must, at least for many years to come, depend, almost wholly, upon the products of agricultural labor with which, directly or indirectly, to supply all our wants. If the habits of our citizens be characterized by industry and economy, then, with the blessings of Providence, a competence is sure to crown their efforts. No soil was ever more prolific, or better rewarded the husbandman for his toils. The cheapness and facility with which our wild lands may be brought into cultivation, can hardly be conceived by those who are acquainted only with the heavy forests of the eastern states. A great portion of our territory requires little or no preparation for the plough. Wheat is the great staple of production, and no soil or climate was, perhaps, ever better adapted to its successful cultivation. I am aware that our present financial difficulties oppose an obstacle, at the present time, to the enactment of such liberal provisions, in regard to this subject, as its great importance demands. It is, however, believed that something may be done, that will be of lasting benefit to our agricultural interests, and that such measures may be adopted, as, with small expenditure, will materially aid in developing the ample resources of the state. In the present crippled condition of our pecuniary affairs, you will do much in the promotion of public good, if, by some appropriate legislation, you put within the reach of the husbandman the improvements and discoveries made in his art by the researches of science. Encouragement may also be given to this important branch of industry, by providing for the organization of agricultural societies, and otherwise encouraging their formation.

By a combination of circumstances, untoward and militating against

our interests, and yet beyond our control, Michigan, though now five years an acknowledged member of the Union, has not hitherto secured a full representation in the congress of the United States. At the time of our application to congress to be admitted as an independent state, so many embarrassing circumstances presented themselves at every step, that, I believe, the question was not raised, and if it had been, it is almost certain that it would have had no other effect than that of postponing our admission. This cause of complaint will cease to exist after the next apportionment of members of congress, when such number will be assigned to Michigan as her population, under the last census, entitles her to claim. It is more than probable, however, that the apportionment will not be made before your session will be brought to a close. As, in that case, you will not be advised of the number of members to which the state will be entitled, it will be hardly possible to provide for their election by districts, though such method, when practicable, is without doubt the best adapted to a representative government, creating, as it does, a stronger feeling of responsibility from the representative to his constituents, and, by consequence, insuring, in his action, a more exact conformity to their will. If it should be found not possible to district the state at your present session, then two alternatives present themselves for your consideration; the postponement of the election to another year, or the enactment of a provision for holding it by general ticket. If the latter mode should meet your approbation, the number of members to be elected, when ascertained, may be made known to the electors by a proclamation to be issued for that purpose, or in such other manner as you may provide by law.

It is, perhaps, my duty to call your attention to an act of the congress of the United States, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved September 4, 1841, and which is herewith transmitted. In the first section of this act, provision is made that Michigan, in common with all the new states in which the public domain is situated, shall be allowed and paid, over and above what she is entitled to by the terms of admission into the Union, the sum of ten per centum upon the net proceeds of the sales of the public lands, which, after the 31st December last, shall be made in the limits of the state.

The second section provides, that the net proceeds of all sales of public lands in the United States, after deducting the ten per centum given to each state on the sales made therein, and the amount allowed by compacts of admission and incidental expenses, shall be divided among all the states of the Union and the territories therein, according to their respective federal population, to be applied to such purposes as their several legislatures may direct. The payment of such net proceeds is to be made on the first days of January and July of each year, to such person as the legislatures, or the governors, in case the legislatures shall have made no such appointment, shall authorize and direct.

In the eighth section, five hundred thousand acres of land, for purposes of internal improvement, are given to this state, in common with other new states possessing public domain, with the proviso, that the amount of land that any such state may have already received, shall be deducted from the amount given by the act, and the quantity given shall be selected by each state within its limits, in such manner as its legislature may direct, and be located in parcels of not less than three hundred and twenty acres each.

That portion of the act in question, which proposes, in some degree, to do justice to Michigan, by relinquishing to her five hundred thousand acres of land for purposes of internal improvement, we can readily sanction. Ohio and other new states, have long ago received the same, or a greater quantity, for like purposes, and no reason has existed why the relinquishment of this land should not, ere this, have been made in favor of Michigan. You will perceive that an act of legislation will be required to direct its location.

It is not, perhaps, now an appropriate time to detain you with discussions of constitutional law on the subject of rightful ownership, by the new states, of all unseated and unpatented lands within their constitutional limits. Without, however, waiving claim to any rights that, on a proper decision of that momentous question, may be found vested in Michigan, we may acquiesce and participate in the benefits resulting from the long established policy of the federal government, of relinquishing portions of the public domain to the states and territories in which it is situated, for purposes of internal improvements and general education. That government, claiming, as it does, the

fee in all such lands, but promotes its own interests by relinquishing portions for those purposes. It thus encourages the settlement, and, of course, increases the value of the remainder. In appropriating, then, the land so relinquished, to the purpose designated in the act, the benefits resulting are common to both governments.

The policy, if not constitutionality even, of other provisions of the act, may well be called in question. If the public domain be considered as rightfully appertaining to the states in which it is situated, by reason of their sovereignty, then the distribution of the proceeds of their sales does injustice to those states, by giving to others what of right belongs to them. On the other hand, conceding that the sovereignty acquired by a state in which public domain is situated, does not annual or in any manner alter the obligation of the articles of cession from the ceding states, and in view of those articles, that domain is still considered and held as a common fund for the joint benefit of all the states, then the distribution violates the terms of cession.

The best interest of the people is not promoted by distributing accruing revenue and supplying its place by increased taxation. The western states manufacture less, and, of course, consume more foreign articles than the Atlantic states, and they, by consequence, will bear a greater share of the burden of increased taxes than their eastern neighbors. It is but ill-advised economy, to give away millions of money when present wants can only be relieved by resort to loans. The objection to a distribution of this portion of revenue, is in no degree lessened because it is derived from public lands; that derived from duties on imports could, with equal propriety, be divided among the states. The measure has a tendency to consolidate all power in the federal government, and to make the sovereign states pensioners upon its bounty. The state, by no action of its constituted authorities, should commit itself in favor of the principle of distribution. We are, in reality, injured by the measure; for every dollar coming to our share, we must pay two in additional taxes. Acceptance of the dividend, if it be deemed advisable to accept, should only be under protest against the principle of the act, accompanied with the reservation of right, and declaration of intention, to use all lawful means to procure its repeal.

I herewith transmit, for your consideration, a joint resolution of congress, "making it the duty of the attorney general to examine into the titles of the lands or sites for the purpose of erecting thereon, armories or other public buildings, and for other purposes." That portion of the resolution, to which your attention is particularly invited, relates to the grant of jurisdiction asked by the United States over the lands and sites purchased for the purposes enumerated. The relinquishment of any portion of sovereignty within our constitutional limits, requires serious consideration; and yet, situated as our state is, on the frontier of a province of the most powerful kingdom in the world, the principle of self-preservation seems to require us, by all reasonable concessions, to encourage the erection of all works of defence which the federal government may be desirous to establish. For defensive works and barracks, and purchase of site at or near Detroit, the sum of fifty thousand dollars was appropriated by congress at its last session.

Our works of internal improvement, heretofore projected and prosecuted to the present time, with greater or less efficiency, will claim your serious attention. The system, so called, was altogether beyond our means, and, indeed, embraced projects of improvement that were not at the time required for public good. The works projected and objects of improvement are as follows:

1. The central railroad, from Detroit to St. Joseph—the whole length 198 miles—estimated cost, \$2,100,160 26. The amount appropriated on this work is \$1,300,000 00. Amount expended, \$1,063,484 41, leaving an unexpended balance of \$236,515 59.

2. The southern railroad, from Monroe, on lake Erie, to New Buffalo, on lake Michigan—length, 179 miles—estimated cost, \$1,918,509 47. Amount appropriated, \$750,000 00; expended on the work, \$668,988 55, leaving an unexpended balance of \$81,011 45.

3. The northern railroad, from Port Huron, on St. Clair river, to lake Michigan, in the county of Ottawa—length, 201 1-2 miles—estimated cost, \$1,509,515 75. The amount appropriated on this work is \$150,000, of which have been expended \$77,916 58, leaving the unexpended balance of \$72,083 42.

4. Havre branch railroad, from Havre to Monroe—length, 13

miles—estimated cost, \$73,515 86 ; appropriated, \$20,000 ; expended, \$910 84 ; unexpended balance, \$19,089 16.

5. Clinton and Kalamazoo canal, from Mt. Clemens to the mouth of Kalamazoo river—whole length, 217 miles—estimated cost, \$4,119,814. On this work have been appropriated \$330,000, and expended \$332,918 34, making an excess of expenditure, of \$2,918 34 above appropriations.

6. Saginaw canal—length, 13 64-100 miles—estimated cost, including improvements of Bad river, \$186,259 62 ; appropriated, \$62,000 ; expended, \$52,749 98 ; balance of appropriation unexpended, \$9,250 02.

7. Sault Ste Marie canal—length, 7-8 of a mile—the estimated cost of which is \$112,544 80—on which have been appropriated \$50,000, and expended \$3,041 86, leaving an unexpended balance of \$46,958 14.

8. Canal around Grand Rapids, about 1 1-2 miles in length. The estimated cost on the north side is \$46,495 90, and on the south side \$31,964 10 ; appropriated, \$25,000 00 ; expended, \$219 39 ; unexpended balance, \$24,780 63.

9. Improvements of Grand and Maple rivers—cost estimated at \$98,989 90 ; appropriated, \$30,000 00 ; expended, \$22,582 35 ; unexpended balance, \$7,417 65.

10. Improvement of the Kalamazoo river—estimated cost, \$7,799 ; appropriated, \$8,000 00 ; expended, \$6,241 56 ; balance unexpended, 1,758 44.

11. Improvement of St. Joseph river—estimated cost, \$271,558 20 ; appropriated, \$25,000 00 ; expended, \$3,974 69 ; leaving an unexpended balance of appropriation, of \$21,025 31.

12. Improvement of the state salt springs. There has been appropriated out of the internal improvement fund for this purpose, the sum of \$28,000 00, of which \$20,134 32, has been expended, leaving an unexpended balance of \$7,865 68. The attempt to obtain water possessing qualities suitable for making salt, has, thus far, proved unsuccessful.

13. La Plaisance bay railroad, from Monroe to La Plaisance bay, a distance of four miles. The amount appropriated and expended

on this work, is \$34,113 00 ; a further sum has been expended, of which an account has not been rendered.

14. Detroit and Grand river road. This is an ordinary road, for the improvement of which, for travel, the sum of \$5,000 has been appropriated, and \$487 87 expended, leaving a balance appropriated of \$4,512 13.

15. Flint and Saginaw turnpike. On this road have been appropriated \$5,000 00, and expended \$3,876 61, leaving a balance unexpended, of \$1,123 39.

16. There has also been appropriated out of the internal improvement fund, for instruments and surveys made in 1837, \$20,000 00, and expended \$37,625 99, making an excess of expenditure over appropriations, of \$17,625 99.

Our whole system of internal improvement, it will be seen, embraced about five hundred and ninety-six miles of railroad, about two hundred and thirty-three miles of canal, and the improvement of five rivers. The estimated cost of these improvements, is \$10,489,275 76, though probably their real cost, were they completed, would not be less than \$15,000,000 00 ; the amount appropriated is \$2,842,113 00, of which have been expended, \$2,329,266 32, leaving an unexpended balance of \$512,846 68.

Of the above works, the Central and Southern railroads are the only two which have yielded, or are likely, at present, to yield a revenue. The net earnings of the former, for the year ending 30th November last, was \$25,655 30. The net earnings of the latter, from April 29 to November 30, were \$2,301 61, making the whole amount of revenue, from our works of internal improvement, for the year ending on the 30th November, \$27,956 46, a little over one per cent on their cost, and probably less than their dilapidation. It is proper, however, to say that, until the fourth of July last, the Central railroad was finished only to Ann Arbor, a distance of forty miles, when it was brought into use as far as Dexter, fifty miles from Detroit. It is now completed to Jackson, thirty miles west of Dexter and eighty miles from Detroit. The commissioners, and probably with good reason, anticipate a large increase of business upon this road in consequence of its extension so far into the interior, and a correspondent increase of revenue. Contracts for grubbing and grading the

line of this road between Jackson and Marshall, have recently been let.

In regard to the revenue from the Southern road, it is also proper to say, that it is completed only between Monroe and Adrian, a distance of thirty-six miles. The chief engineer on that road estimates the amount necessary for its completion to Hillsdale, exclusive of iron, to be \$15,632 00. The whole distance between Adrian and Hillsdale, will soon be ready for the iron.

The expenditures on the several works of internal improvement, for the year ending November 30, 1841, is as follows: On the Central railroad, \$194,586 49; on the Southern do, \$148,185 60; Northern do, \$7,022 24; Clinton and Kalamazoo canal, \$56,754 66; Saginaw do, \$5,172 79; canal around Grand Rapids, \$88 84; improvements of Grand river, \$104 17; Kalamazoo do, \$1,154 63; St. Joseph do, \$1,706 02; Detroit and Grand river road, \$487 87; Saginaw turnpike, \$3,876 61. Total, \$419,139 94.

This is a general, and I believe a correct view of our works of internal improvement. The conception of the plan on a scale so magnificent, is to be attributed to the erroneous opinions of wealth, produced by the influence of a too redundant paper currency. The system was altogether too extended for our wants, and required expenditures beyond our means. It was projected at a time when things were too often viewed through a distorted vision. Property had assumed a fictitious value; national as well as individual revenues were greatly over-estimated, and the minds of men had become inflated by imaginary success in the acquirement of wealth. Individuals embarked with confidence in enterprises which they now regard as extravagant and visionary. The spirit of the times unfortunately became the governing policy of states, and Michigan, with a population then less than two hundred thousand, inhabiting a territory new and recently settled, with few immediate resources but her credit, projected a system of internal improvement which would have been a grand undertaking for the oldest and most wealthy states.

This general delusion has now passed away. Men have returned to sober sense, and rely on the realities of life. Visions of wealth to be produced by the issue of bank paper, have vanished to return no more. Productive industry is alone regarded as the true source

of wealth, and among the errors of the past, we now account the projection of our system of internal improvement.

The report of the board for the last year, is already printed and ready for your examination. In that report you will find the present condition of each particular work set forth in greater detail, and such information generally as will enable you more fully to understand the subject.

Those portions that are finished, it should be our first object to make available on the most economical plan. Such portions as are yet unfinished, but so nearly so that comparatively small future expenditure will render productive large outlays already made, should be finished, if means can be found at command.

The completion of the plan, as a whole, can now no longer be hoped. All action, therefore, having in view its further prosecution, it is respectfully suggested, should be restricted to such portion of the system as, affording facilities to the greatest number of our citizens, will, at the same time, yield the greatest revenue. Reference to the financial condition of the state, of which a summary is contained in this communication, will show the unavoidable necessity of conforming all future legislation to this suggestion. All the means that may hereafter come into the treasury for purposes of internal improvement, after discharging the liabilities of that fund already incurred, should be husbanded with the strictest regard to economy and public good. The uncertainty of our resources should deter us from authorizing their anticipation, and the disastrous results of legislation in past years, should warn us against increasing the indebtedness of the state.

In connection with the subject of internal improvement, it seems appropriate to call your attention to the condition of our finances. At the time of adopting that splendid scheme of improvements, so captivating to a fervid imagination, but so entirely beyond our resources, present or prospective, the legislature, led astray by the examples of older and more populous states, whose policy it was, at the time, considered wisdom to admire and safety to follow, authorized a loan of five millions of dollars to hasten its completion. This loan was negotiated, and its proceeds, so far as received, applied in aid of the plan. If this plan had only been projected, or being projected,

had the resources of the state alone been applied in its prosecution, the evils resulting would have been far less. If the errors of the time had led us only to extravagant expenditure of our own money, our present difficulties would have been less complicated and embarrassing. In our aspirations of grandeur, however, we despised our own little means, and, resorting to a prodigal use of our credit, we lavishly expended the money of others, to replace which we shall have to encounter, on every hand, difficulties of a perplexing character. We not only borrowed for our internal improvements, but also for the state penitentiary, the university, the support of the state government, and even for private incorporations.

The state has loaned at different times, the following sums :

For the state government,	\$100,000 00
For internal improvement,	5,000,000 00
For the Jackson and Palmyra railroad company,	20,000 00
For the penitentiary in 1838,	20,000 00
For the Detroit and Pontiac railroad company,	100,000 00
For the penitentiary in 1839,	40,000 00
For the university,	100,000 00
For the Allegan and Marshall railroad company,	100,000 00
For the Ypsilanti and Tecumseh railroad company,	100,000 00

In addition to these several loans, the state also owes on bonds issued on account of delinquent tax fund,

On state scrip outstanding on 1st December last,	182,625 67
On auditor's warrants outstanding,	208,702 00
On interest due, for payment of which no provision has been made, estimated at	128,958 42
	160,000 00

Making the whole indebtedness of the state at this time,

\$6,260,286 09

The annual interest on this sum, at six per cent, is \$375,617 16. A few of our bonds bear interest at the rate of seven per cent. The greater portion, together with the scrip, bear an interest of six per cent only.

There is now due the state on the five million loan from the Morris canal and banking company,	\$852,825 00
From the bank of the United States,	1,306,812 50
There is also due on bonds issued for the erection of the penitentiary, about	20,000 00
Making the whole amount due,	<u>\$2,178,937 50</u>

If the bonds for which we have received no consideration, should be returned, the entire indebtedness of the state, on the first of the present month, after making a proportionate deduction of the interest above estimated to be due, would be about \$4,017,000 00.

The bonds given by the state, on account of the Palmyra and Jacksonburg railroad company, will be due in November of the present year. The principal on the remainder, with few exceptions, will not be due till 1863.

To pay the accruing interest on our indebtedness, the state has no other regular revenue, than that arising from the net earnings of the Central and Southern railroads, which, as has been seen in 1841, was only \$27,956 46, though the present year it will probably be much more.

The bonds issued for the benefit of the university, will probably be paid from the fund appertaining to that institution, and something may eventually be realized from the private incorporations for whose benefit the state has assumed liabilities. Those incorporations have, in nearly every instance, failed to pay accruing interest, and now all are in default; and, by an enactment of the last legislature, the Palmyra and Jacksonburg railroad company was, on certain conditions, released from the payment of the bonds issued on their account.

For the payment of the amount due the state from the Morris canal and banking company, some collateral security has been obtained; but to what extent it will indemnify the state against losses by that institution, I have no means of forming an opinion. The bank itself is represented as hopelessly insolvent. For a more particular account of this claim, and of the nature of the securities, you are respectfully referred to joint document numbered eight, of the last

legislature. For the payment of the instalments coming from the United States bank, no security has been given to the state.

Most unfortunately for Michigan, in the negotiation of the five million loan, the bonds were delivered before the money was received, and a contract made for its payment, in instalments, as it would be wanted by the state. No doubt was then entertained of the entire responsibility of the contracting parties; but subsequent experience has taught us our mistake. The Morris canal and banking company, in 1840, failed to perform its contract with the state, and in October last, the bank of the United States also failed to pay the instalment which became due at that time. I am not sufficiently acquainted with the present condition of this institution, to give you accurate information on the subject, but its affairs are represented to be in a most forlorn and embarrassed state, so much so that its credit is wholly lost and its stock valueless in our eastern cities. Its enormous capital seems to have been wasted in political contests, and in wild and extravagant speculations in stocks and cotton, and in precarious attempts to recover its credit after its fortunes had become desperate and irretrievable. For this purpose, large amounts of American stocks, our own among the rest, are said to have been pledged abroad for temporary loans. I am aware, that persons connected with the institution, have given assurances that it would be able, ultimately, to discharge all its liabilities to the public, with the sacrifice only of its capital. Such are not, however, the anticipations which our experience with insolvent banks has taught us to entertain, and in my opinion, will not, in the case of the bank of the United States, be likely to be realized. The domestic assets of the institution, it is understood, have passed from its possession, by assignments made at different times in behalf of favored creditors. We may reasonably expect that the entire proceeds of these assets will be thus exhausted, especially as they have become depreciated by the change of times, the bankruptcy of debtors, and the general fall of prices. Under circumstances thus untoward, we can reasonably have no well-grounded expectation of obtaining from the bank the instalments yet due.

Such is the present condition of our finances, and it is due to the people that it should be made known, that they may not misunderstand or misconceive the resources of the state; and it is also due to

you, as otherwise the policy of measures, which prudence may induce you to adopt, might not be fully appreciated. It is ever wise to meet difficulties in their worst aspect. No one can be more fully sensible than myself, of the embarrassments you will have to encounter, or more deeply impressed with the importance of wise and prudent action in all branches of the government. It is under difficult and trying circumstances, that sound wisdom and true patriotism exhibit themselves with most effect. The country requires us to act like patriots and statesmen, and I hesitate not to express the opinion, that it is due to our character as a people, as far as possible under the circumstances, to preserve inviolate the public faith. The same principles of equity which bind the consciences and govern the actions of individuals in dealings of a private character, ought ever to regulate the conduct of states. More imperative, indeed, upon them rests the obligation of such principles, since their own views of justice and uncontrolled will, constitute the only rules of their action. Considerations of expediency even, are by no means wanting, if any were necessary, to strengthen these convictions of duty. If those who make and administer the laws, are found, in their official capacity, to disregard the obligations of good faith, little respect will be felt or observed by the citizen to their most solemn enactments, or to the highest tribunals of public justice. Deeply impressed with the truth of these sentiments, I hesitate not to declare, that every just debt of the state should be acknowledged and paid; that while she should submit to no wrong, she should herself withhold no well founded right. Such I believe to be the universal sentiment of the people of Michigan.

While, however, we are careful to maintain the faith of the state and to do justice to the public creditor, we should be duly impressed with the imperative duty of protecting well the rights and interests of the people against impositions and unjust exactions. If, through our negligence or oversight, illegal or inequitable demands upon the public treasury should be admitted and sanctioned, the tax payers, we might justly apprehend, would not cheerfully submit even to the burdens which its real necessities might require. Our first duty is to our constituents, whom we represent, and whose interests we have

been chosen to protect, and the utmost firmness and caution will be demanded at our hands.

Under the circumstances of the case, I respectfully suggest the propriety of appointing, at your present session, one or more persons of approved fidelity and discretion, who shall be authorized to obtain from these defaulting institutions, the bonds for which we have received no consideration, and to make a settlement with them on such terms as you may direct; and, in case no settlement can be made, then to inquire into and ascertain who are the holders and owners of all the bonds of the state now outstanding, and to report their proceedings to the next legislature. In making such settlement, as justice and equity may dictate, we should not lose sight of the damages we have sustained by the failure, on their part, to fulfill the contract entire.

In the meantime, it is incumbent upon us to husband the resources of the state with scrupulous care; to introduce every practicable reform into the public service, and thus prepare, as far as possible, to meet all just demands upon the treasury. It will not, however, be possible, for reasons already adverted to, to meet the interest for the present on the public debt. The semi-annual interest due on a portion of our bonds, in November last, as well as the interest due on the first of the present month, the late administration have found it impossible to meet, and the amounts then due, consequently remain unpaid. The want of present ability, however, to pay accruing interest, should not induce us to view with indifference the faith of the state that has been pledged for both principal and interest. Our present inability is owing to the fault of others, and not to a want of disposition on our part, and it should be our constant effort to remove it. The annual interest due on the bonds issued by the state, for which no provision is made by existing legislation, is about \$350,000. This amount cannot be raised by direct taxation from the people, in addition to the burdens now imposed upon them. Indeed, under the present circumstances of the country, little or no more can be raised from that source, than will be required to defray the current and ordinary expenses of the government. If an equitable settlement be made in relation to the five million loan, the principal, and, consequently, the interest, will be greatly lessened. It may comport with

your views, to lessen further, or wholly to cancel our indebtedness, by giving the five hundred thousand acres of land relinquished to us by congress, or other property belonging to the state, in exchange for our bonds, in case an arrangement to that effect can be made. The entire extinguishment of the public debt is desirable, and its propriety enforced by every true principle of political economy.

To relieve the state from the odium of issuing an irredeemable currency, as well as from considerations of sound policy, the treasury notes, or scrip, now outstanding, should, at the earliest moment possible, be withdrawn from circulation. The evils of issuing a paper medium of this character, aside from the questionable constitutionality of the measure, are too numerous and too palpable to require enumeration at this time. The scrip was issued from the mistaken notion that, by changing the form of indebtedness, payment was made. It is, however, only a representation of the debt it purports to have paid, and which still remains until the scrip itself is redeemed. To re-issue it in payment to the public creditor, renders the government obnoxious to the charge of issuing, and, consequently, encouraging a depreciated paper currency, and when it is once paid into the treasury, it should be cancelled. The auditor's warrant on the treasury, is as available as the same amount of state scrip, but the difference of these two kinds of evidence of public indebtedness is material, as regards the community and the paper currency of the state. The one assumes the character of paper money, the other does not; but, like a common promissory note, is considered merely evidence of indebtedness, and no more.

The issue of the scrip was based on the instalment of the five million loan, due in October last, from the United States bank, and which was not paid. To give it greater currency as a circulating medium, the general fund was pledged for its redemption, as it was to be received in payment of all taxes and dues to the state, and the consequence is, that nothing else is paid into the treasury, and the state is absolutely left without means for defraying the expenses of government. No funds are at command even to pay any of the expenses of the present session of the legislature, or any other expenditures necessary to keep in motion the wheels of government. The amount of scrip outstanding is sufficient to absorb all the taxes and

revenues, for the support of the state government, for the next two years, and by consequence, to keep the treasury without any means during that time. Such portion as may be otherwise absorbed, will of course, by lessening the aggregate amount, tend to relieve the burden upon the general fund, where the evil is now most sensibly felt. The debt for which the scrip was issued, having been incurred on account of works of internal improvement, it should be redeemed by that fund; but until its means can be made available, the proceeds of the sale of university and school lands may be applied to that purpose; the state paying for the benefit of those funds, the usual rate of interest until principal can be returned.

Our present embarrassments, and the means by which they have been brought upon the state, render it worthy of your consideration, whether it would not be expedient so to amend the constitution, as to require the consent of the people to all loans hereafter made by the state for works of internal improvement, or for any other purpose not connected with the legitimate wants of the government.

The currency, and consequently, the institutions which furnish that currency, will demand your attention at your present session. The evils of a suspension of specie payment by the banks, whether authorized by law, or tolerated by public opinion, are numerous. It enables banks to impose upon the public a currency without any sufficient basis for its redemption, and institutions, that are rotten and worthless, to flood the country with their irredeemable notes, while it takes away the only means the public have of testing their value. It operates as a mildew and blight upon all prosperity; enables the swindler, under forms of law, to possess himself of the productions of the industry of others; renders employment uncertain, and paralyzes all business of the country. It destroys confidence between man and his fellow-man, and tends to corrupt and undermine the public morals, to a greater extent than all other causes combined.

The people are in no way benefitted by a suspension. The depreciation of the currency, which is always consequent upon it, results only in the benefit of banks, by enabling them to purchase up their circulation below a par value. Whatever this depreciation may be, it is a loss to the people, and a gain to the banks.

Bank paper can never be at par unless it be convertible into coin

at the will of the holder. It is in itself of no value, and it is beyond the power of legislation to give value to that which possesses none. Being but evidence of indebtedness, it will be valued and sought only when there is a certainty of its redemption. The ultimate responsibility of the bank issuing it, will not give it sufficient character to make it answer the purpose of a currency. Convertibility at the will of the holder can alone effectually insure that object. Irredeemable paper, it is true, may have a circulation, but it is from the fact that it is convertible at some rate; and though it may nominally pass at par value, yet the prices of commodities given in exchange are always fixed with a view to its depreciation. In a word, bank paper is worth only what the institution which issues it, will give or cause to be given in its redemption. A par currency of bank paper can only be secured by compelling banks to redeem their circulation in coin on demand, and by making the refusal to do so, a forfeiture of charter. No excuse for such refusal should ever be admitted. The evils of a proper medium not convertible into coin at the will of the holder, have become too palpable and too onerous longer to be endured, and public opinion calls for their correction with a voice that cannot be mistaken, and with an earnestness that cannot be resisted.

The frequent resort to suspensions of specie payments by the banks, and the evils attending it, are in some degree to be attributed to a want of a proper legislation, but more to a neglect to carry into effect the laws in force on the subject. Banks are required by their charters to pay specie on all their liabilities, and their whole management should be such as will insure a strict compliance with this requirement. Their loans and discounts, and their whole business, should be kept in that restricted sphere, and so entirely within their means, that their ability to do so will never be endangered. The cupidity of bankers should not, however, in this respect, be trusted. The management of banks should be subjected to a strict supervision and legal control. Those to whom this supervision and control is entrusted, should be required in all cases, to cause every institution to be enjoined, that had, in any degree, exceeded its legal authority, or even departed from bounds prescribed by a reasonable discretion. It is not enough that a bank restrict its circulation to the amount

prescribed by law. That circulation should be issued only for legitimate purposes, and with due consideration not only of the ultimate safety of the paper discounted, but of the reasonable probability of its being paid at maturity. Loans should never be made but for short periods, and those who have the supervising control of banks, should exercise that duty principally with regard to the safety and present availability of their assets. A permanent loan, made by a bank, whatever may be the security for ultimate payment, is an absorption of so much of its capital for all purposes of banking, and when the amount of permanent loans equals the amount of its capital, then such bank has no longer the means to transact business. The capital beyond its reach is of no avail, and it has no greater resources for the immediate redemption of its bills, than an institution without pretensions to capital.

An investigation into the affairs of a bank, affords little or no information of its actual condition, or of its ability to do a legitimate business, unless in such investigation, the assets be inspected, their present availability considered, and their value ascertained. A parade of figures, setting forth a debit and credit, as is usually contained in a bank report, will give no satisfactory knowledge of its real condition. Reports of that character, made by those interested, instead of being of public utility, are too often calculated to mislead and deceive. The reports of the condition of banks made by disinterested persons alone, and upon actual inspection and valuation of their assets, are likely to be of public use, or to give correct information.

In the organization of banks, and the payment of their capital, resort is too often had to fiction. A bona fide payment, in terms of law and in obedience to its requirements, is seldom or never made. If the money be actually paid in for the stock, it is with the expectation and understanding that the same, or even a greater amount, will be returned in the shape of a permanent loan. No person can be legitimately an owner of bank stock, unless he be a money lender. A bank can be legitimately created only with surplus capital paid in as a permanent investment, for the use and purpose of banking. This capital should be so paid in, without any hope or expectation of obtaining loans; for one and the same individual cannot consi-

tently be, at the same time, both a lender and a borrower. The idea of making banks to borrow back our own money, is absurd, as is, also, the idea of lending money to others through the medium of a bank, when we are ourselves but borrowers! All such operations are frauds upon the public, and to suffer them to pass unnoticed, is evidence of culpable remissness on the part of those whose duty it is to see the laws faithfully executed. So far as may depend on me, all such frauds, whether committed at the incipient steps taken in the formation of the banks, or at any subsequent stage of their operations, will be exposed and their perpetrators punished.

In view of these considerations, I respectfully recommend the immediate and unconditional repeal of all acts and parts of acts, directly or indirectly authorizing banks to suspend the payment of their liabilities in legal currency, and particularly the act entitled "An act suspending certain provisions of law, and for other purposes," approved April 12, 1841.

I also recommend that the charters of the several banks be so modified, that the refusal to pay specie on any liability, at any time or under any circumstances, should work a forfeiture of all corporate privileges. It is believed that such a provision would, in an eminent degree, insure a proper and judicious management of banks; restrict their operations within a safe and legitimate sphere, and restrain directors from entering into or fostering wild and visionary schemes of reckless speculation. In the New England states, where is to be found the best paper currency of the Union, I am assured that a provision, similar in its features, is incorporated into the charters of all their moneyed institutions.

I recommend a further modification of the bank charters of the state, by making the stockholders and officers of each bank individually and collectively liable for its debts. This provision, besides the additional security thus obtained, would also further tend to the safety of the bill holder and creditor, by securing a more vigilant attention on the part of directors, than can be hoped when their individual fortunes are not at stake.

In addition to personal liability, it is worthy of your serious consideration, whether, in all cases, insolvency should not be deemed *prima facie* evidence of fraud, and the directors and other officers,

and all privy thereto, be liable to indictment, and on conviction, to appropriate punishment. The insolvency of banks, in most cases, results from a failure to comply, in good faith, with the requirements of law, and no good reason is perceived why those who are culpable for such neglect, should not suffer for the injury by them inflicted on the public.

Your attention is respectfully called to the fact, that some of the banking institutions of this state, professing not to be under the provisions of the "act suspending certain provisions of law, and for other purposes," yet, by evasion of law, contrive to impose upon the public a worse species of irredeemable currency, than that which is issued under that act. These institutions, without any sufficient authority, make their circulation payable in some other state, or in the irredeemable bank notes of other states. It is believed that their liability to pay specie on demand at their counter, on such unauthorized issues, is in no degree relieved or lessened by a subterfuge so objectionable; yet, thereby a pretence is made for redeeming such liabilities at an excessive rate of discount. No bank charter in this state, it is believed, expressly or by implication, authorizes the issue of such paper for a circulating medium. Banks are required to pay all their liabilities in coin, and all just construction of law forbids the evasion of this imperative obligation, by expedients so incompatible with honest intentions and honorable dealing. It is worthy of your consideration whether, in view of these circumstances, it may not be proper to pass some declaratory act that will effectually correct similar abuses in future, by making the legal obligations of banks more explicit and more generally known. If such a species of irredeemable currency be permitted to exist, from want of proper legislation, or from omission to give effect to existing laws, it will be in vain that you repeal the law authorizing a suspension; for you will not thus reach the evil. The refusal to redeem, on demand at the counter, in lawful money, notes issued evidently for circulation, though purporting to be payable abroad, should work a forfeiture of charter in like manner as the refusal to pay notes expressly made payable at the banking house. The issue of bank notes, payable in other bank notes, should, in all cases, be a forfeiture of banking privileges. It is already, by the laws of the state, made a penal of-

fence to pass, or attempt to pass, a bank note payable in any thing other than the lawful money of the United States; and banks should be restricted from issuing a currency which the people cannot use without violating law.

By the "Act to abolish the office of bank commissioners, and for other purposes," approved March 25, 1840, the attorney general, on the requisition of the governor, is required to institute an examination into the condition and affairs of banks, and, generally, to do the duty of bank commissioners. It is not known that any investigation, by virtue of this act, has ever been made into the condition and affairs of banks, though some of the most extensive losses suffered by the public, in the depreciation of bank paper, have occurred during its existence. The limited number of banks now in existence, may not warrant the revival of the office of bank commissioner, but it is respectfully submitted whether the duties of attorney general are, in all respects, consistent with the proper discharge of the additional duties of bank commissioner.

I wish also to call your attention to the propriety of prohibiting, by law, the circulation of the irredeemable notes of the suspended banks of other states. It will be in vain that we compel our own banks to adopt a broader basis of specie capital and to pay all demands upon them in coin, if, at the same time, we permit other states to send here at will their spurious currency. If the inconvertible paper medium of foreign corporations be permitted to circulate within our limits, our people are not effectually protected from imposition. They have, indeed, less means of judging of the solvency of banking institutions abroad than of those in our own state. If no provision be made on the subject, there is danger that our own banks will, in their discounts and other transactions use this irredeemable and worthless paper. They have heretofore used it, instead of specie, as a capital for ordinary operations of banking, and it would be a less infringement upon moral principle, and a less violation of law, to discount with it at once. Your intervention is urged with additional force from the consideration that the banks of neighboring states now issuing an irredeemable currency, are deemed generally insolvent. Some, doubtless, are sound, but our citizens have little means of making discrimination, and cannot protect themselves from imposition.

It is as competent for you to prohibit this species of currency, as to prohibit the circulation of counterfeit paper money. There is little less immorality in the issue of the one than in the issue of the other ; though, over the one case, the law extends its protecting arm, and withholds it in the other. Our citizens should be protected from the impositions consequent upon both.

I deem it a matter of duty, before dismissing the subject of banks, to call your attention to the fact that many charters of banks, which have long ceased to redeem their liabilities, and to transact banking business, have yet a legal existence. We are admonished by the history of the past, that the public are liable to be deceived and defrauded in the resuscitation of these old charters which, from non user for a long period, have been forgotten or supposed to be extinct. If you do not deem it proper at once to repeal the charters of this class of incorporations, there will be at least, propriety in prohibiting the resumption of their corporate privileges, except under the sanction of some appropriate authority to be designated by law.

Incorporations, established for other avowed purposes, have, without warrant of law, assumed and exercised all the rights and privileges of banks, and, like them, have issued notes for circulation and currency. Some provision of law is required by which such usurpation of powers, may be more speedily and effectually restrained.

Some of the municipal incorporations of the state persist in issuing small bills, of a denomination less than one dollar, and evidently intended for purposes of circulation. Whether this species of currency has been hitherto legal or illegal it should no longer be tolerated. It serves to exclude from circulation the coin that would otherwise take its place and serve for the purposes of change, and is little less than an imposition upon all not connected with the corporate authority by which it is issued.

We are indebted to the president of the United States and the veto power with which he is vested for saving the country from a repetition of the evils of an inflated paper currency, under which it has so lately and so severely suffered, and with which, at the late extraordinary session of Congress, it was again threatened by the attempt to charter a new National Bank. The president would have merited more fully our gratitude, had he not, at the same session, approved

of other enactments of a most objectionable character. The recent failure of the United States Bank of Pennsylvania, which may with justice be considered the old United States Bank, under a state charter, and the devastation and ruin it has spread far and wide throughout the country, should warn us against the creation of an institution vested with so extensive power to do evil. However much the country may have been divided, heretofore, on this subject, it would seem from the experience we now have, there is no longer reason for a difference of opinion. The pecuniary embarrassments of the country may, in a great measure, be traced to this institution, and its ruinous expansion of the credit system, commenced under a national charter, and consummated, together with its own ruin, under one derived from state authority. Its credit abroad, and its supposed solvency and facilities for obtaining loans, enabled it to draw within the vortex of its ruin, states as well as individuals.

In the revised statutes, provision is made for the appointment of a reporter of the decisions of the supreme court and of the court of chancery. That officer receives an annual salary of six hundred dollars, payable quarterly out of the state treasury. Nearly three years have now elapsed since his first appointment, and yet, for causes into which it is proper for you to inquire, we have not a single volume of reports. About three hundred pages of decisions in chancery have been printed, and about two hundred and fifty more are ready for the press, which altogether, will make a volume of chancery reports. Written opinions of cases decided in the supreme court, have been received by the reporter from Mr. Justice Ransom, sufficient to make about one hundred pages, but no opinions have been furnished the reporter by the other justices of the supreme court. These facts naturally suggest the inquiry whether, under the present legislation upon the subject, the public are likely to receive an adequate benefit for the expense incurred in providing a reporter. The courts are required by law, to communicate in writing to the reporter, their opinions, as soon as convenient, after they are given, and he is required to publish the same annually. The subject seems to require your action, either by abolishing the office of reporter, or providing more effectual means to secure the publication of cases decided in the supreme court.

The subject of the assessment and collection of taxes, will claim your attention. It is believed that great inequality obtains in the valuation of property, not only in the different counties, but in different townships. While this evil is permitted to exist, the public burdens are not imposed alike on all, and it will be matter proper for inquiry, whether the fault is to be attributed to defect in the law, or its administration. Such also is the operation of the system generally, that little or nothing is paid into the treasury directly from the counties, as the amount of delinquent taxes due on lands returned to the auditor general annually, is nearly or quite equal to the whole state tax. As these lands cannot be sold until three years after they are returned, means are wanting during this time, for the support of the state government.

Complaints continue to be made of the unequal assessment of highway taxes, and in instances not a few, of the excessive amount imposed. The object for the imposition of this tax is certainly meritorious, and all property in the state should, in an equal and moderate degree, be assessed for its promotion. As from official sources it is ascertained that the complaints made upon this subject are not without foundation, I doubt not you will apply such remedy to the evil as will be appropriate and effectual.

By provisions of existing enactments, non-resident lands on which the taxes remain three years unpaid, are exposed to sale for their payment. It is a subject worthy of your inquiry, whether, instead of selling the lands, some other measure may not be devised and adopted, better calculated to promote the interest of the state, and at the same time equally well calculated to protect the rights of individuals. The neglect or refusal to pay lawful taxes imposed on lands, is *prima facie* evidence of abandonment by the owner. Our laws now provide that the whole estate of an intestate who leaves no kindred, shall escheat to the people of the state; and no sufficient reason is perceived why the principle should not be extended, if not to other property, at least to lands which are abandoned by their owners. The laws of Virginia and other states provide that lands shall become forfeited and vested in the state, if the taxes assessed thereon remain unpaid for a specified time. It is respectfully sub-

mitted to your consideration, whether a similar provision may not, under proper guards and restrictions, with propriety and advantage, be incorporated into the laws of this state.

JOHN S. BARRY.

Detroit, January 4, 1842.

On motion of Mr. Lothrop, five hundred copies were ordered to be printed.

On motion of Mr. Crary,

The House again resolved itself into committee on rules, and, after some time spent thereon, rose and reported the same with sundry amendments; which,

On motion of Mr. Goodwin,

Were concurred in by the House, and, on motion, the rules, as reported and amended, were adopted.

A communication was received from the state treasurer, inclosing his annual report, which was laid on the table.

On motion of Mr. Goodwin,

The House adjourned until to-morrow morning, at ten o'clock.

Wednesday, January 5, 1842.

The House met pursuant to adjournment.

The roll being called, the members were present as yesterday.

The journal of yesterday was read and corrected.

The Speaker announced the following standing committees:

Ways and Means—Messrs. Norvell, Berry, Wilson, Walker, and Smith.

Judiciary—Messrs. Witherell, Stuart, Littlejohn, Howell, and Hanscom.

Claims—Messrs. Livermore, Magoon, Turner, Scott, and Axford.

Elections—Messrs. Chipman, Lamb, White, Bennett, and Gunning.

Banks—Messrs. Goodwin, Bush, Cooper, Preston, and Rice.

University and School Lands—Messrs. Stuart, Rice, Bush, Berry, and Bennett.

Printing—Messrs. Dort, Scott, Wilson, Preston, and Mickle.

Agriculture and Manufactures—Messrs. French, Hawley, and Sanborn.

Militia—Messrs. Lewis, Babcock, and Anderson.

Accounts and Expenditures—Messrs. Humphrey, Blair, and Annable.

Towns and Counties—Messrs. Little, Dexter, and Wendell.

State Prison—Messrs. Cooper, Hewitt, and Woodbury.

Roads and Bridges—Messrs. Videtto, Hathaway, and Sheldon.

Revision—Messrs. Hanscom, Howell, and Witherell.

Enrolment—Messrs. King, Fessenden, and Norvell.

Education—Messrs. Crary, Fessenden, and Ball.

Internal Improvement—Messrs. Wing, Crary, Little, Littlejohn, and Chipman.

PETITIONS.

By Mr. Wing. Of Lewis E. Bailey, for compensation for a horse lost in the Toledo war. Referred to the committee on claims.

By Mr. Fessenden. Of Horace Steevens, for an abatement in the price to be paid by him for land purchased of the superintendent of public instruction. Referred to the committee on university and school lands.

By Mr. Littlejohn. Of inhabitants of the township and county of Allegan, for the organization of a township. Referred to the committee on towns and counties.

By Mr. French. Of inhabitants of the township of Oneida, for a new town. Referred to the committee on towns and counties.

On motion of Mr. Little,

The following petitions, lying on the table, were referred to the committee on towns and counties :

Of inhabitants of Brady, Kalamazoo county, for a separate township.

Of citizens of Saginaw, for a separate township.

NOTICES.

Mr. White gave notice that he intended to bring in a bill at some future day, to exempt from taxation all lands conveyed to the state of Michigan, for the purposes of internal improvement, and actually used for that object.

Mr. Turner gave notice that he would at a future day ask leave to bring in a bill to abolish the office of state printer.

Mr. Bennett gave notice that he would at an early day ask leave to introduce a bill to amend an act entitled "An act to incorporate the village of St. Joseph."

Mr. Chipman gave notice that leave would be asked at an early day, to introduce a bill to amend an act entitled "An act relative to the sale of real and personal estate on execution," so that the contract between mortgagor and mortgagee shall control their rights, notwithstanding the provisions of the law, and further to amend said act so that its effect shall not reach pre-existing mortgages.

Mr. Bennett gave notice that he would at an early day introduce a bill to abolish the office of county commissioner.

Mr. Livermore gave notice that he would at some future day ask leave to introduce a bill for the security of persons depositing wheat at mills for flouring, and to punish fraudulent millers.

Mr. Gunning gave notice that he would at an early day ask leave to bring in a bill to abolish the office of supervisor, by having the duties of supervisor performed by the oldest justice of the peace, and in each township according to the classification, without any further compensation than is now allowed to said justice on the days of election.

RESOLUTIONS.

On motion of Mr. Crary,

Resolved, That a committee, consisting of five members, and to be designated as "the committee on federal relations," be added to the standing committees of this house.

Mr. Lamb offered the following resolution :

Resolved, That the clerk be, and he is hereby directed to procure the printing of the daily journals of this House, for the use of the members thereof, with as little delay as possible, and where it can be done with the least expense to the state.

Mr. Goodwin offered the following substitute, which was adopted :

Resolved, That after the correction of the journal of this House, the same shall be printed in book form, so that the whole daily journals, when bound, shall form the journal of the House of Representatives. That as soon as a sheet of each journal shall be printed,

one copy thereof shall be laid on the table of each member of the the two houses of the legislature, two copies furnished the Speaker and the President of the Senate; and that 250 copies be preserved for binding, as the published journal required by the constitution.

Mr. Littlejohn offered the following resolution, which, by his consent, was referred to the committee on ways and means :

Resolved, That the state treasurer be directed to report to this House for its consideration, as soon as practicable, a plan of finance ; that such plan embrace the several liabilities of the state heretofore incurred by loan, contract or otherwise, with such means for their liquidation as he may be able to devise, and that such plan also embrace and exhibit all the means of the state now available for the liquidation of indebtedness, for defraying the current expenses of the government, and the further prosecution of the legitimate objects of the several funds.

On motion of Mr. Crary,

Resolved, That the committee on the judiciary be instructed to inquire into the proceedings of the Governor and Judges of the territory of Michigan, under the act of congress entitled " An act to provide for the adjustment of titles of land in the town of Detroit and territory of Michigan," approved April 21, 1806, and report thereon ; and also, what amount of land remains of the 10,000 acres to be laid out into a town by said act, and whether the remainder of said lands belong to the state of Michigan, the county of Wayne, or the city of Detroit.

On motion of Mr. Hanscom,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing capital punishment, and report by bill or otherwise.

On motion of Mr. Fessenden,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing an act entitled " An act relative to the sale of real and personal estate on execution," approved March 27, 1841, and also the act supplementary to the above act, approved April 13, 1841, and to report to the House upon the same at their earliest convenience.

On motion of Mr. Livermore,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of abolishing the office of county commissioners, and providing by law for the discharge of their duties by the supervisors of the several townships, and report by bill or otherwise.

On motion of Mr. Little,

Resolved, That the auditor general be respectfully requested to communicate to this House, a condensed statement of the amount of moneys which have come into the treasury on account of the five million loan ; the aggregate appropriations which have been made from that loan, and the entire expenditures which have been made under those appropriations.

Mr. Lewis offered the following resolution, which, by his consent, was laid on the table :

Resolved, That the Governor's message be translated into the French language.

The annual report of the board of internal improvement was received and referred to the committee on internal improvement.

Mr. Lamb, pursuant to notice, introduced " A bill to repeal an act entitled ' an act suspending certain provisions of law, and for other purposes, ' " and, on his motion, the rule was suspended, and the bill referred to the committee on banks and incorporations.

On motion of Mr. Norvell,

The memorial and documents relating to the election in Chippewa, were referred to the committee on elections.

Mr. Lamb presented the memorial of Samuel Ashmun and accompanying documents on the same subject, which had the like reference.

On motion of Mr. Fessenden,

The vote taken yesterday, on the resolution respecting stationery, was reconsidered, by yeas and nays, as follows :

YEAS.

Mr. Annable,
Mr. Arnold,
Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,

Mr. Hathaway,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Livermore,

Mr. Mickle,
Mr. Preston,
Mr. Sheldon,
Mr. Stuart,
Mr. White,
Mr. Wilson,
Mr. Wing,

Mr. Fessenden,	Mr. Lothrop,	Mr. Speaker,	
Mr. Hanscom,	Mr. Magoon,		26

NAYS.

Mr. Anderson,	Mr. French,	Mr. Rice,	
Mr. Axford,	Mr. Goodwin,	Mr. Sanborn,	
Mr. Babcock,	Mr. Gunning,	Mr. Smith,	
Mr. Ball,	Mr. Hawley,	Mr. Turner,	
Mr. Blair,	Mr. Hewitt,	Mr. Videtto,	
Mr. Crary,	Mr. Lamb,	Mr. Walker,	
Mr. Dexter,	Mr. Littlejohn,	Mr. Wendell,	
Mr. Dort,	Mr. Norvell,	Mr. Woodbury,	24

The question being then taken on the passage of the resolution, and the yeas and nays being called for on motion of Mr. Howell, the vote stood as follows :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,	
Mr. Axford,	Mr. Gunning,	Mr. Sanborn,	
Mr. Babcock,	Mr. Hawley,	Mr. Sheldon,	
Mr. Ball,	Mr. Hewitt,	Mr. Smith,	
Mr. Blair,	Mr. Lamb,	Mr. Turner,	
Mr. Crary,	Mr. Little,	Mr. Videtto,	
Mr. Dexter,	Mr. Littlejohn,	Mr. Walker,	
Mr. Dort,	Mr. Norvell,	Mr. Wendell,	
Mr. French,			25

NAYS.

Mr. Annable,	Mr. Hathaway,	Mr. Mickle,	
Mr. Arnold,	Mr. Howell,	Mr. Preston,	
Mr. Bennett,	Mr. Humphrey,	Mr. Stuart,	
Mr. Berry,	Mr. King,	Mr. White,	
Mr. Bush,	Mr. Lewis,	Mr. Wing,	
Mr. Chipman,	Mr. Livermore,	Mr. Wilson,	
Mr. Cooper,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Magoon,	Mr. Speaker,	
Mr. Hanscom,			25

Mr. Goodwin called up his resolution of yesterday, relative to a Legislative manuel.

Mr. Howell moved to amend by adding "and the census of this State and the United States," which amendment was adopted.

Mr. Stuart moved to strike out the words relative to binding, which motion was lost on a division, 21 to 23.

Mr. Norvell moved to amend by adding the calendar for the present year.

Mr. Little proposed to amend by a calendar for two months, when

On motion of Mr. Chipman,

The amendments were stricken out, and the original resolution adopted.

Mr. Lothrop laid upon the table the following joint resolution :

Resolved, (the Senate concurring herein,) That a joint committee of three from the House of Representatives and two from the Senate be appointed to receive sealed proposals for doing the printing of the two Houses of the Legislature, and for publishing the session laws for 1842 ; and it shall be the duty of said committee to give public notice of the time and place of receiving such proposals ; and the person offering to execute said printing at the lowest price, and shall offer good and sufficient security for the faithful performance of the same shall have the contract.

On motion of Mr. Chipman,

The House resolved itself into committee of the whole on the Governor's message, Mr. Norvell in the chair ; and after some time spent thereon the committee rose and reported the same back to the House with the following resolution, which was concurred in :

Resolved, That so much of the message of the Governor as relates to education be referred to the committee on education ;

That so much as relates to agriculture and manufactures, be referred to the committee on agriculture and manufactures ;

That so much as relates to the election of members of Congress, be referred to a select committee ;

That so much as relates to the officers of the general government and the governments of the several states of the Union, be referred to the committee on federal relations ;

That so much as relates to the judiciary and a revision of the laws, be referred to the committee on the judiciary ;

That so much as relates to internal improvement, be referred to the committee on internal improvement ;

That so much as relates to finance and taxes, be referred to the committee of ways and means ;

That so much as relates to banks and incorporations, be referred to the committee on banks and incorporations.

Mr. Lothrop moved the suspension of the rule, and the taking up

of the joint resolution offered by him, on the subject of printing, and the rule was suspended and the resolution adopted.

The resolution from the Senate, authorizing the Governor to appoint a private secretary, was taken up, and the yeas and nays being called by Mr. Lamb, the same was concurred in, by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Mickle,
Mr. Annable,	Mr. Hanscom,	Mr. Norvell,
Mr. Arnold,	Mr. Hathaway,	Mr. Preston,
Mr. Ball,	Mr. Hawley,	Mr. Rice,
Mr. Berry,	Mr. Hewitt,	Mr. Sanborn,
Mr. Blair,	Mr. Howell,	Mr. Scott,
Mr. Bush,	Mr. Humphrey,	Mr. Stuart,
Mr. Chipman,	Mr. King,	Mr. Videtto,
Mr. Cooper,	Mr. Lewis,	Mr. White,
Mr. Crary,	Mr. Little,	Mr. Wing,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dort,	Mr. Livermore,	Mr. Woodbury,
Mr. Fessenden,	Mr. Lothrop,	Mr. Speaker,
Mr. French,	Mr. Magoon,	

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NAYS.

Mr. Axford,	Mr. Lamb,	Mr. Turner,
Mr. Gunning,	Mr. Smith,	

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On motion of Mr. Norvell,

The treasurer's report was referred to the committee on ways and means.

On motion of Mr. Little,

The House adjourned until to-morrow morning, at ten o'clock.

Thursday, January 6, 1842.

The members present as yesterday, except Messrs. Bush and Livermore.

Prayer by Rev. Bishop McCoskry.

The journal of yesterday read and corrected.

Mr. Dort asked for and obtained leave of absence for Mr. Bush, until Monday.

Mr. Hanscom for Mr. Livermore, until Monday.

PETITIONS.

By Mr. Turner. Of citizens of Shiawassee county, for the or-

ganization of a new township. Referred to the committee on towns and counties.

By Mr. Berry. Remonstrances of citizens of Branch county, against the organization of a certain separate township of said county. Referred to the committee on towns and counties.

By Mr. Berry. Of citizens of Branch county, for the organization of a separate township in said county. Referred to the committee on towns and counties.

By Mr. Dexter. Of certain inhabitants of Ionia county, for the organization of a certain township. Referred to the committee on towns and counties.

By Mr. Lamb. Of inhabitants of the township of Dryden, asking a division of said township. Referred to the committee on towns and counties.

By Mr. Turner. Of citizens of Clinton county, for the organization of a new town. Referred to the committee on towns and counties.

By Mr. French. For the organization of a township in the county of Ingham. Referred to the committee on towns and counties.

By Mr. French. Of inhabitants of the county of Ingham, for an alteration of state road. Referred to the committee on roads and bridges.

By Mr. Chipman. Of John Hardman, for a reduction of the price of university and school lands. Referred to the committee on university and school lands.

By Mr. Bennett. Of Thomas R. Green, for reduction of the price of university and school lands, and for other purposes. Referred to the committee on university and school lands.

By Mr. Stuart. Of thirty-six inhabitants of the county of Kalamazoo, praying for the repeal or modification of the ninety-third section of the justice's act. Referred to the judiciary committee.

By the Speaker. Of the county commissioners of Livingston, for the passage of an act legalizing the assessments in said county. Referred to the committee on the judiciary.

By Mr. Lothrop. Of one hundred and ten inhabitants of the county of Kalamazoo, praying for the passage of a law to prevent the

destruction of sheep by dogs. Referred to the committee on agriculture and manufactures.

By Mr. Berry. Five several petitions for the removal of the county seat of Branch county. On motion of Mr. Wilson, referred to a select committee, to consist of five.

By Mr. Howell. Three several petitions of inhabitants of Hillsdale county, praying a repeal or amendment of a portion of the revised statutes relative to the practice of physic and surgery. Referred, on motion of Mr. Howell, to a select committee, consisting of Messrs Howell, Livermore and Woodbury.

By Mr. Dexter. Of inhabitants of the county of Ionia, in relation to the return and collection of non-resident taxes. Laid on the table.

By Mr. Turner. Of citizens of Clinton county, asking the repeal of any law authorizing the return of unpaid taxes, on non-resident lands, to the auditor general for collection. Laid on the table.

NOTICES.

Mr. Wendell gave notice that he would, at some future day, ask leave to introduce a bill to equalize the specific state taxes, and for other purposes.

Mr. Berry gave notice that at some subsequent day he would introduce a bill to amend an act entitled "An act to provide for the organization of courts of special sessions."

Mr. Videtto gave notice that he would, at some future day, ask leave to introduce a bill for the relief of purchasers of university and primary school lands.

Mr. Chipman gave notice that leave would be asked, on some subsequent day, to introduce a bill to abolish the office of county register, and transfer the duties and records of those offices to the county clerks of the several counties in this state, and to prescribe the fees receivable by said clerks for all services.

On motion of Mr. Anderson, seconded by Mr. Annable,

Resolved, That the committee on elections be directed to inquire into the expediency of so altering the constitution, that the general election shall be holden one day only, and report thereon; and that the township clerk, and one of the justices of the peace, shall be the clerks of all elections and township meetings.

On motion of Mr. Dort,

Resolved, That a committee of three be appointed, with instructions to furnish necessary stationery for the use of the members of this House, and superintend the incidental expenses of the House during the session.

Whereupon, the Speaker announced Messrs. Dort, Smith and Scott, as such committee.

On motion of Mr. Goodwin,

Resolved, That the attorney general be directed to lay before the House such information as may be in his office on the following subjects :

1st. The names of all banking associations, formed under the act to organize and regulate banking associations.

2d. Which of said associations have had their corporate rights and privileges closed up, and the charters annulled by legal proceedings.

3d. Such information as may be in his power to communicate, in relation the present condition of those institutions, whose charters have not been annulled.

Mr. Gunning offered the following resolution, the subject of which was referred to the committee on the judiciary :

Resolved, That there be a select committee appointed to examine the fee bills of the state, county, and township officers, and the justices act, and report what alterations are necessary, if any, by bill or otherwise.

On motion of Mr. Chipman,

Resolved, That a select committee of three be appointed to inquire into the management, disposition and condition of the university and school fund, with power to send for persons and papers, and also investigate the condition of the university and branches, and the manner of its expenditure.

On motion of Mr. Norvell,

Resolved, That the committee on ways and means be discharged from the further consideration of the subject of taxation, and that all matters specially relating to that subject be referred to a select committee of five members.

On motion of Mr. Annable,

Resolved, That the committee on elections be directed to inquire

into the expediency of so amending the eighth section of part first, title second, chapter second of the revised statutes, as to make it the duty of township clerks to notify all elections and township meetings and report thereon.

Mr. Norvell called up the following resolution of Mr. Lewis, laying upon the table :

Resolved, That the inaugural speech and the annual message of the Governor, be translated into the French and German languages, and that two hundred copies of the same be printed in each language for the use of the House.

The question being on the passage of the resolution, Mr. Lothrop called for the yeas and nays, and the resolution was adopted by the following vote :

YEAS.

Mr. Anderson,	Mr. Hathaway,	Mr. Sanborn,
Mr. Annable,	Mr. Hawley,	Mr. Scott,
Mr. Arnold,	Mr. Hewitt,	Mr. Sheldon,
Mr. Axford,	Mr. Howell,	Mr. Smith,
Mr. Babcock,	Mr. Humphrey,	Mr. Stuart,
Mr. Ball,	Mr. King,	Mr. Turner,
Mr. Bennett,	Mr. Lamb,	Mr. Videtto,
Mr. Berry,	Mr. Lewis,	Mr. Walker,
Mr. Blair,	Mr. Little,	Mr. Wendell,
Mr. Dort,	Mr. Magoon,	Mr. White,
Mr. Fessenden,	Mr. Norvell,	Mr. Wing,
Mr. Gunning,	Mr. Preston,	Mr. Wilson,
Mr. Hanscom,		

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NAYS.

Mr. Chipman,	Mr. French,	Mr. Mcikle,
Mr. Cooper,	Mr. Goodwin,	Mr. Woodbury,
Mr. Crary,	Mr. Littlejohn,	Mr. Speaker,
Mr. Dexter,	Mr. Lothrop,	

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On motion of Mr. Goodwin,

Resolved, That the daily hour of the meeting of the House, be 10 o'clock, A. M., until otherwise ordered.

On motion of Mr. Goodwin, amended by Mr. Lothrop, the rule being suspended,

Resolved, (the Senate concurring herein,) That the joint rules of the two houses of the last legislature, be adopted as the joint rules of the present legislature, and that there be a joint committee on li-

brary appointed, to consist of one member from the Senate, and two from the House.

Mr. Lewis offered the following resolution :

Resolved, That J. B. Vallee be appointed to translate into the French language the inauguration and message of the Executive.

Mr. Goodwin moved the reference of the subject to the committee on printing.

Mr. Lothrop moved to amend the resolution by instructing the committee to ascertain the expense of translation and printing, and report the same to the House ; and the resolution was so amended, and referred to the committee on printing.

A message was received from the Governor, covering a communication from the auditor general, which was referred to the select committee on taxes.

The following message was received from the Senate, by their secretary :

SENATE CHAMBER, }
Thursday, January 5, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House of Representatives, a joint resolution requiring the acting commissioner of internal improvement to forbear entering into any new contracts on the public works, which the Senate have passed, and respectfully ask the concurrence of the House therein.

I am also inssructed to return the House joint resolution in relation to proposals for printing, and respectfully inform you that the Senate has concurred therein.

Also, the House joint resolution in relation to a legislative manual, and respectfully inform you that the Senate has non-concurred therein.

S. YORKE AT LEE,
Secretary of the Senate.

And the joint resolution respecting proposals for printing, was ordered to be enrolled, and the Speaker announced Messrs. Lothrop, Lamb and Dort, as the committee on the part of the House.

The joint resolution respecting new contracts on public works, was referred to the committee on internal improvement.

The report of the secretary of state relative to the state library, was received and laid on the table.

Mr. Crary moved that the House adjourn, which motion was lost.

On motion of Mr. Crary, the select committee on stationery, &c., were instructed to make the necessary arrangements relative to postage, and report to this House.

On motion of Mr. Smith, the House adjourned.

Friday, January 7, 1842.

The House met pursuant to adjournment.

The members present as yesterday.

Prayer by Rev. Bishop McCoskry.

The journal of yesterday read and approved.

The Speaker announced the following committees :

Standing Committee on Federal Relations—Messrs. Crary, Howell, Videtto, Norvell and Smith.

Select Committees—On the resolution of yesterday, in relation to the subject of taxation—Messrs. Lothrop, Cooper, Bush, Ball and Littlejohn ;

On resolution of yesterday, relative to the management, disposition and condition of the university and school fund—Messrs. Chipman, Berry and Woodbury ;

On the petition for the removal of the county seat of Branch county—Messrs. Wilson, Little, Magoon, Anderson and Wendell.

PETITIONS.

By Mr. Turner. Of inhabitants of Clinton county, asking the repeal of any law authorizing the return of unpaid taxes on non-resident lands to the auditor general for collection. Referred to the select committee on taxation.

By Mr. Stuart. Of the county commissioners of Kalamazoo county, for relief, in regard to the assessment and collection of taxes in the town of Kalamazoo, in said county. Referred to the committee on the judiciary.

By Mr. Magoon. Of William Force, to sell certain lands belonging to heirs. Referred to the committee on the judiciary.

By Mr. Berry. Of sundry inhabitants of Branch county, for abolishing the office of county commissioners, and to re-establish a board of supervisors. Referred to the select committee on the judiciary.

By Mr. Stuart. Of thirty-two inhabitants of Kalamazoo county, praying for the abolition of the office of county commissioners. Referred to the committee on the judiciary.

By Mr. Goodwin. Of John Parkinson, of the county of Branch, for relief, in relation to a university purchase, &c. Referred to the committee on university and school lands.

By Mr. Berry. Eight several petitions of inhabitants of Branch county, for the removal of the county seat of said county. Referred to the select committee on that subject.

By Mr. Woodbury. Of inhabitants of Lenawee county praying a repeal of the revised statutes in relation to the practice of physic and surgery. Referred to the select committee on that subject, of which Mr. Howell is chairman.

NOTICES.

Mr. Berry gave notice that at some subsequent day, he should ask leave to introduce a bill to amend the ninety-third section of an act entitled "An act to prescribe the powers and duties of justices of the peace in certain proceedings."

REPORTS.

Mr. Norvell, from the committee on ways and means, reported a bill to provide for the payment in part of the members and officers, and the incidental expenses of the present legislature, which was read and referred to the committee of the whole.

Mr. Dort, from the select committee on supplies, reported that the committee had conferred with the Postmaster at Detroit, relative to postage on letters received by members of the House, and had received his proposals, as follows :

That an account would be opened with the House of Representatives for postage on letters received by its members, provided that the account can be paid in the lawful currency of the United States at the close of the session ; and the committee concluded by recommending that the matter be referred to the committee on ways and means.

The report was referred accordingly.

RESOLUTIONS.

On motion of Mr. Wing,

Resolved, That the commissioner of internal improvement be requested to report to this House the probable expense of supplying with water so much of the Clinton and Kalamazoo canal as is completed, so as to put it in a condition of preservation; and whether any additional expenditure will be necessary to render the canal available and productive to the state :

Also, to report the actual or probable expense of constructing an additional railroad track at the eastern termination of the Central railroad, diverging eastwardly from the present track, so as to effect an easy and convenient termination upon some street commodious to the public warehouses of this city :

Also, to report his opinion upon the most eligible eastern termination of the Southern railroad, and if, in his opinion, any change be necessary, to state what that change should be, and the probable expense of effecting it,

On motion of Mr. Crary,

Resolved, That the committee on federal relations be instructed to inquire into the expediency of making a proposition to congress to grant absolutely to the state the salt springs and lands adjoining the same, heretofore granted for the use of the state.

On motion of Mr. Norvell,

Resolved, That the committee on federal relations inquire into the expediency of reprinting joint resolutions of the legislature of Michigan, instructing our senators and requesting our representative in congress in relation to the incorporation of a bank of the United States, and the act distributing the proceeds of the sales of the public lands among the several states, and the inclusion of banks and other incorporations in the compulsory provisions of the bankrupt law, passed by congress at the late extra session.

On motion of Mr. Goodwin,

Resolved, That the secretary of state be requested to inform the House whether the seventy-two sections of land for the use of the salt springs, ceded to this state by the United States, have been fully located, and if not, what sections have been located, and their description.

On motion of Mr. Fessenden,

Resolved, That the auditor general be requested to inform the House in what situation the mill property in the village of Frederick, Macomb county, belonging to the state, now is; whether the property is leased, and if so, to whom, and upon what terms, and if it be not leased, who has the charge of the same, and the amount paid to the agent for his services.

The following message from the Senate was received by their secretary, Mr. At Lee :

SENATE CHAMBER, }
Friday, January 7, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to you “A bill amending an act relative to district canvass.”

Also, a resolution in regard to the appointment of a joint committee to make arrangements with the postmaster of Detroit for delivery of communications directed to the members of both houses, which have this day passed the Senate, and respectfully ask the concurrence of the House therein.

Also, that Senators Bell, Champlin and Wixom have been appointed as the joint committee on the part of the Senate, to act with the House committee on receiving proposals for printing.

S. YORKE AT LEE,
Secretary of the Senate.

And the bill from the Senate relative to amending an act relative to district canvass, was read and referred to the committee on elections.

Mr. Chipman, from said committee, forthwith reported the same back to the House, with an amendment, and,

On motion of Mr. Crary,

The rule was suspended, bill taken up, amendment concurred in, and ordered to be engrossed.

Mr. King, from the committee on enrolment, reported the same as correctly engrossed, and, on motion of Mr. Little, the rule was suspended, the bill read a third time, passed and transmitted to the Senate.

On motion of Mr. Norvell,

The rule was suspended and the joint resolution from the Senate, relating to arrangements with the postmaster, concurred in, and Messrs. Scott and Hewitt announced as the committee on the part of the House.

Mr. Little moved an adjournment, which motion was lost.

Mr. Lamb offered the following resolution :

Resolved, That the committee on banks and incorporations, to whom was referred "A bill to repeal an act entitled 'an act suspending certain provisions of law and for other purposes,'" be requested to report thereon to this House at their earliest convenience, and that they report in favor of an unconditional repeal.

Mr. Hanscom offered the following as a substitute :

Resolved, That the committee on banks and incorporations be instructed to report back to the House, at their earliest convenience, the bill committed to them on the subject of repeal of the act suspending certain provisions of law, &c., with an amendment to the effect that all provisions of that or any other law, now in force, authorizing a suspension of specie payments by banks, be repealed.

On motion of Mr. Howell, the resolution and substitute were laid upon the table, by a division of twenty-five to fourteen.

The following message was received from the Senate :

SENATE CHAMBER,
Friday, January 7, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed to inform you that the Senate have appointed, as their committee on the joint resolution in relation to making arrangements with the postmaster of Detroit, Senators Bell and Walker.

S. YORKE AT LEE,
Secretary of the Senate.

A communication was received from the superintendent of public instruction, in relation to his annual report, which was laid upon the table.

On motion of Mr. Smith, the House adjourned.

Saturday, January 8, 1842.

The House met pursuant to adjournment.

The members present as yesterday, except Mr. Hanscom.

Prayer by the Rev. C. W. Fitch.

Mr. Fessenden asked for, and obtained leave of absence for Mr. Hanscom, until Monday next.

PETITIONS.

By Mr. Scott. Of John Mullett, for permission to build a mill dam across the Red Cedar river. Referred to the committee on roads and bridges.

By Mr. Chipman. Of sheriffs of several counties, for amendment of the law relative to fees. Referred to the committee on the judiciary.

By Mr. Berry. A petition and a memorial from inhabitants of Branch county, for the removal of the seat of government. Referred to the committee on that subject.

By the Speaker. Of W. W. Dean and others, of the counties of Washtenaw and Livingston, for an amendment of the constitution.

By the Speaker. Of W. W. Dean and others, of the counties of Washtenaw and Livingston, to compel banks to resume specie payments. Referred to the committee on banks and incorporations.

By Mr. Lothrop. Of one hundred and sixty-four legal voters of Kalamazoo county, praying that the right of trial by jury be extended to every human being. Referred to the committee on the judiciary, together with the following resolutions offered by Mr. Lothrop:

Resolved, That the committee on the judiciary be instructed to inquire and report to this house, whether, in their opinion, the existing laws are sufficient to protect the personal liberty of every citizen and stranger within the jurisdiction of this state.

Resolved, That if, in the opinion of the committee, the laws now in force are not sufficient for that purpose, they be required to report a bill to this house, that in their opinion, shall effectually secure the same.

Mr. Stuart, from the committee on the judiciary, reported "A bill amending the ninety-third section of the justices act." Read a first and second time, and referred to the committee of the whole House.

Mr. Crary, from the committee on federal relations, reported "A

bill to accept a grant of land made by the United States to the state of Michigan, and to authorize the Governor to cause the same to be located." Read a first and second time, and referred to the committee of the whole.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred the "Bill to repeal an act entitled 'an act suspending certain provisions of law, and for other purposes,'" reported a substitute therefor, which was read a first and second time and referred to the committee of the whole.

Mr. Norvell, pursuant to previous notice, introduced "A bill to amend the seventh chapter, title second, part third of the revised statutes, concerning judgments in courts of record, and executions thereon," which was read a first and second time, and on motion of Mr. Lothrop, ordered to be printed.

Mr. Turner, pursuant to notice, introduced "A bill to abolish the office of state printer," which was referred to the committee on printing.

Mr. Dort, from the committee on printing, to whom was referred the resolution instructing them to ascertain and report the expense of translating the Governor's inaugural address and message into the French and German languages, submitted the following report :

That having received several communications from persons acquainted with translating the English language into the French and German languages, and having ascertained what the cost of printing would be, when translated, have ascertained that the cost of translating the Governor's inaugural address and message into the French and German languages, would be one hundred dollars, and the cost of printing two hundred copies of each, in pamphlet form, including paper, would be from one hundred and fifty, to one hundred and seventy-five dollars.

Mr. Scott, from the joint committee to whom was referred the subject of postage, reported that the committee had conferred with the postmaster, and made a temporary arrangement for the postage of members, and were under the impression that they would be able to make a full and satisfactory arrangement in a few days.

MOTIONS.

On motion of Mr. Stuart, the committee on the judiciary were dis-

charged from the further consideration of the resolution relative to costs and fees of certain officers ; and,

On motion of Mr. Gunning, the same was referred to a select committee, consisting of Messrs. Gunning, Stuart, Littlejohn, Howell and Hanscom.

NOTICES.

Mr. Gunning gave notice that he would at an early day ask leave to introduce a bill authorizing the leasing of the unsold university and school lands, by the leasees paying an annual sum, to be fixed by law from time to time, on all the lands that remain unsold at such times.

Mr. Bennett gave notice that he would at some future day ask leave to introduce a bill to amend chapter two, title six, part first of the revised statutes, relative to highway taxes ; and also to amend an act entitled " An act relative to highway taxes," approved March 20, 1840.

RESOLUTIONS.

Mr. Babcock offered the following resolution :

Resolved, That there be a select committee of _____ to inquire into the condition of the seminary lands, relative to trespasses that might be committed on them, by cutting and destroying timber, and if any trespass has been committed, to what extent, to have power to send for persons and papers, and report to this House.

Mr Goodwin offered the following substitute, which was adopted :

Resolved, That the superintendent of public instruction be requested to lay before this House such information as may be in his possession in relation to trespasses on university and school lands.

On motion of Mr. Gunning,

Resolved, That the committee on elections be instructed to inquire into the expediency of so amending the constitution as to allow the general election to be holden on the first Monday in November, in each year, in any township or ward where the people shall choose to hold the same but one day.

On motion of Mr. Cooper,

Resolved, That so much of the report of the auditor general, as refers to the state penitentiary, be referred to the committee on the state prison.

Mr. Lothrop laid the following joint resolution on the table :

Resolved, (the Senate concurring herein,) That the two Houses of the legislature will meet in joint convention on the 12th instant, at twelve o'clock, M., for the purpose of electing a state treasurer.

On motion of Mr. Dort,

Resolved, That the state treasurer be directed to transmit to this House, a statement of the amount of money received into the treasury since the 30th day of November last ; on what account received, and the amount of each kind of funds received.

A communication was received from the Governor, covering a communication from the state treasurer, on the subject of a claim of the state on the banking house of the Morris canal and banking company, in the city of New York, together with several communications on the same subject, all of which were referred, on motion of Mr. Norvell, to the committee on ways and means.

On motion of Mr. Crary,

So much of the auditor general's report as relates to the university fund, and the university interest fund, was referred to the select committee, of which Mr. Chipman is chairman, and so much of the same report as relates to the school fund and school interest fund, to the committee on education.

On motion of Mr. Lothrop,

The House resolved itself into committee of the whole on the bill to repeal the suspension law, passed April 12, 1841, and for other purposes ; and after some time spent thereon, the committee rose and reported the same back to the House, with sundry amendments, in which they asked the concurrence of the House.

On motion of Mr. Crary,

The House took up for consideration the bill and amendment, and, on his motion, the third section was so amended as to strike out the word "bankrupt" and insert "insolvent," and after the words, "of any description whatever," to insert "such act shall be deemed fraudulent and void."

On motion of Mr. Chipman,

Section four was amended by striking out the word "three," and inserting "six," and, on motion of Mr. Littlejohn, the word "punished" was stricken out, and "prosecuted" substituted.

Mr. Rice moved to strike out, in section five, "from and after its passage," and insert "from and after the eighteenth of January," which motion was lost ; and the amendments were concurred in, and the bill ordered to be engrossed for a third reading, printed and laid upon the tables of the members.

The following message was received from the Senate, by their secretary, Mr. At Lee :

SENATE CHAMBER, }
Saturday, January 8, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to you a joint resolution relative to a legislative manual, which has this day passed the Senate, and to respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,
Secretary of the Senate.

On motion of Mr. Little,

The rule was suspended, and the resolution from the Senate relative to a legislative manual, was taken up.

On motion of Mr. Crary,

The resolution was so amended as to include "and all select committees heretofore appointed," and, on motion of Mr. Anderson, "an alphabetical list of all the towns in the state."

On motion, the House adjourned to Monday morning, ten o'clock.

Monday, January 10, 1842.

The House met pursuant to adjournment.

The roll being called the members were all present except Mr. Lewis.

Prayer by the Rev. Mr. Ten Brook.

The journal was read and corrected.

PETITIONS.

By Mr. Hanscom. Account of A. Treadway, clerk of the supreme court for the fourth circuit, against the state. Referred to the committee on claims.

By Mr. Cooper. Claim of A. Bigelow, for articles furnished for the state prison. Referred to the committee on claims.

By Mr. Humphrey. Claim of Arthur Edwards, for a railroad car. Referred to the committee on claims.

By Mr. French. Petition of certain inhabitants of Ingham county, for the organization of a new township in said county. Referred to the committee on towns and counties.

By Mr. Hanscom. Of 59 citizens of Oakland county, in favor of the passage of a law securing the right of trial by jury equally to all persons in this state. Referred to the committee on the judiciary.

By Mr. Norvell. Of the rector, wardens and vestrymen of St. Paul's church, in the city of Detroit, praying for an act of incorporation. Referred to the committee on banks and incorporations.

By Mr. Bennett. Of R. W. Landon, for relief on a certain contract for the purchase of school lands. Referred to the committee on university and school lands

NOTICES.

Mr. Norvell gave notice that he would to-morrow ask leave to introduce a bill to authorize the appointment of commissioners to take the acknowledgments of deeds, and other instruments of writing under seal.

RESOLUTIONS.

On motion of Mr. Howell,

Resolved, That it be referred to the committee on banks and incorporations, to enquire into, and ascertain the situation of, the real estate and personal securities given to redeem the liabilities of banks formed under the general banking law, and that said committee be instructed to report a bill, requiring the attorney general to proceed immediately to sell any or all lands included in or covered by such securities, and also to the collection of the personal securities, and that the avails thereof be applied in discharge of the indebtedness of such banks.

Mr. Little laid upon the table the following preamble and joint resolution :

Whereas, There exists at the present time, throughout the Union and in Europe, a great loss of confidence in the good faith of the several states of the Union, in the payment of their just debts, having

a tendency to depreciate the value of state stocks, and destroy the credit and prosperity of the country :

And whereas, The State of Michigan has bonds in market, to the amount of several millions of dollars, negotiated for purposes of internal improvement, authorized by the legislature :

And whereas, The embarrassed condition of this state, at the present time, renders it impossible to meet the interest due on the bonds issued by the state :

And whereas, The doctrine of repudiation has been suggested by some of the public newspapers of this state, (which may, by the holders of the bonds of this state, be supposed to express the sentiments of the people of Michigan ;) therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That although unable at the present time to meet the interest now due on the bonds issued by the state, we deny the doctrine of repudiation, as being the sentiments of the people of Michigan, and hereby declare, as representatives of the people of Michigan, we will do all in our power to keep inviolate the public faith of this state.

Resolved, That the committee of ways and means be requested to report to this House, a bill providing for the payment of interest now due, and to become due the present year and the first of January next, on the bonds of this state.

Mr. Lothrop called up his resolution, laid upon the table on Saturday, and proposed to amend the same so as to read as follows :

Resolved, (the Senate concurring herein,) That the two Houses of the legislature will meet in joint convention on the 12th instant, at 12 o'clock, for the purpose of electing a state treasurer, to fill the vacancy in that office.

On motion of Mr. Norvell, the same was laid upon the table until to-morrow.

REPORTS.

Mr. Stuart, from the committee on the judiciary, to whom was referred the petition of the county commissioners of Kalamazoo, reported "A bill for the relief of the county commissioners of the county of Kalamazoo."

Which bill, the rule being suspended, on motion of Mr. Stuart, was read a first and second times, and ordered to be engrossed.

When, on motion of Mr. Stuart, the rule was again suspended, the bill read the third time, passed, and transmitted to the Senate.

ORDER OF THE DAY.

The Speaker announced the bill to repeal the suspension law, passed April 12, 1841, and for other purposes, as the order of the day ; and the same being under consideration,

Mr. Hanscom moved to recommit the bill to the committee on banks and incorporations, with instructions to amend the same by striking out after the word purposes, in the nineteenth line, "under pain of imprisonment," and inserting, "shall be deemed guilty of a felony, and may, upon conviction before any court of competent jurisdiction, be sentenced to imprisonment in the state prison for any term not exceeding five years, or in the county jail not exceeding one year ;" and to insert at the end of the fourth section, "and every and all such dividends or disposals shall be deemed fraudulent and void."

Mr. Norvell moved to recommit with instructions to strike out the third and fourth sections of the bill, and the words, in the seventh and eighth lines of the second section, "unless such institution shall show some special and satisfactory reasons to the court or jury, as the case may be, for such refusal ;" and also to insert in the first line of the second section, after the word "shall," the words "immediately after the passage of this act, and."

Mr. Howell moved to divide the question on the amendments, and the motion being sustained, the question was taken on inserting in the first line of the second section, after the word "shall," the words "immediately after the passage of this act, and," and the same was adopted.

The question then occurring on striking out from the seventh and eighth lines, second section, "unless such institution shall show some special and satisfactory reasons to the court or jury, as the case may be, for such refusal," it prevailed.

The question then being on striking out the third and fourth sections, it was decided in the negative by yeas and nays, as follows :

YEAS.

Mr. Little,
Mr. Lothrop,

Mr. Norvell,

Mr. Smith,

NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Preston,
Mr. Annable,	Mr. French,	Mr. Rice,
Mr. Arnold,	Mr. Goodwin,	Mr. Sanborn,
Mr. Axford,	Mr. Gunning,	Mr. Scott,
Mr. Babcock,	Mr. Hanscom,	Mr. Sheldon,
Mr. Ball,	Mr. Hathaway,	Mr. Stuart,
Mr. Bennett,	Mr. Hawley,	Mr. Turner,
Mr. Berry,	Mr. Howell,	Mr. Videtto,
Mr. Blair,	Mr. Humphrey,	Mr. Walker,
Mr. Bush,	Mr. King,	Mr. Wendell,
Mr. Chipman,	Mr. Lamb,	Mr. White,
Mr. Cooper,	Mr. Littlejohn,	Mr. Wilson,
Mr. Crary,	Mr. Livermore,	Mr. Wing,
Mr. Dexter,	Mr. Magoon,	Mr. Woodbury,
Mr. Dort,	Mr. McKle,	Mr. Speaker, 45

Mr. Dort moved to amend after the word "act," in the tenth, to insert, "or to redeem their bills and liabilities in specie," which motion was lost.

On motion of Mr. Chipman,

The words "and continue to make," were directed to be inserted after the word "resume," in the ninth line of the third section, and "for all their liabilities or demands," after the word "act," in the tenth line.

Mr. Stuart offered the following substitute for the whole bill, which was rejected :

"That every provision of law, authorizing or permitting the suspension of specie payments by any banking institution of this state, whether for a limited or indefinite time, and whether contained in their charters or elsewhere, be and the same is hereby repealed.

That if any such bank, which shall not immediately resume and continue to redeem in coin, all its debts or evidences of debt, shall sell or in any manner dispose of its specie, or other property of any description whatever. such sale or disposition shall be deemed fraudulent and void, and every person aiding in, and every individual interested in any such bank, who shall consent to any such sale or disposition, shall be deemed guilty of a misdemeanor, and shall be punished either by fine not exceeding ten thousand dollars, or by imprisonment in the county jail or state penitentiary not exceeding ten years, at the discretion of the court.

The provisions of this act shall apply to every chartered institu-

tion in this state, which has heretofore issued or shall hereafter issue any bills or other evidences of debt, intended to circulate as money, and to every individual interested therein.

This act shall take effect and be in force from and after its passage."

On motion of Mr. Hanscom, the word "permitting," in the thirteenth line, was stricken out, and the words "assenting to," inserted.

Mr. Stuart moved to strike out the word "felony," wherever it occurred in the bill, and insert "misdemeanor."

Debates arising thereon, Mr. Lothrop called for the previous question by the House, and the question being about to be taken by division, Mr. Chipman called for the yeas and nays, and the amendment was rejected, by the following vote :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Crary,
Mr. Fessenden,
Mr. Hanscom,
Mr. Humphrey,
Mr. King,

Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Norvell,
Mr. Rice,
Mr. Sanborn,

Mr. Scott,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Walker,
Mr. Wing,

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NAYS.

Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Dexter,

Mr. Dort,
Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Lamb,

Mr. Magoon,
Mr. Mickle,
Mr. Preston,
Mr. Videtto,
Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Woodbury,
Mr. Speaker,

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The question being then taken on the motion of Mr. Hanscom to recommit with instructions, the same were adopted.

Mr. Goodwin, from the committee, forthwith reported the same back to the House in accordance with instructions, and the bill, as amended, was read the third time and passed, by yeas and nays as follows :

YEAS.

Mr. Anderson,
Mr. Annable,

Mr. Goodwin,
Mr. Gunning,

Mr. Preston,
Mr. Rice,

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,
Mr. Dort,
Mr. Fessenden,
Mr. French,

Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,
Mr. Mickle,
Mr. Norvell,

Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

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NAYS.

Mr. Little,

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On motion of Mr. Goodwin,

The title of the bill was so amended as to read "A bill to repeal the suspension act, passed April 12, 1841, and for other purposes."

On motion of Mr. Lothrop, the House adjourned.

Tuesday, January 11, 1842.

The House met pursuant to adjournment.

The members were all present.

Prayer by the Rev. Mr. Ten Brook.

The journal was read and approved.

PETITIONS.

By Mr. Cooper. Two several petitions of inhabitants, that a portion of the town of Henrietta, Jackson county, be attached to the town of Leoni. Referred to the committee on towns and counties.

By Mr. Chipman. Of Philip H. Buck and others, to re-locate the village plat of Sherman. Referred to the committee on towns and counties.

By Mr. Wing. Of George Davis, of the city of Buffalo, for payment of warrant. Referred to the committee on claims.

By Mr. Berry. Of William H. Cross and S. A. Holbrook, of Branch county, for relief in relation to certain contracts on the Central railroad. Referred to the committee on claims.

By Mr. Bennett. Of Alanson Hamilton and Stephen Crum, for

the reduction of the price of university land. Referred to the committee on university and school lands.

By Mr. Chipman. Of J. Beeson, for relief in the purchase of university land. Referred to the committee on university and school lands.

By Mr. Humphrey. Of David C. McKinstry and others, proposing to rent the Central railroad. Referred to the committee on internal improvement.

By Mr. Norvell. Claims of G. W. Howe. Referred to the committee on claims.

Mr. Wing gave notice that on to-morrow he would ask leave to introduce a bill relative to chancery orders and notices.

RESOLUTIONS.

On motion of Mr. Lewis,

Whereas, Under the act for building bridges over the rivers Rouge, Ecorse and Huron, by the seventh section of this act, it appears that the bridges, toll gates, houses and lands acquired under this act, are to revert to this state; therefore,

Resolved, That a committee of three be appointed by the chair, to examine the bridges and their appendages, and report to this House if they will answer the requirements of the law.

Whereupon, Messrs. Lewis, Gunning and Scott, were appointed such committee.

On motion of Mr. Lewis,

Resolved, That the committee on printing, be authorized to employ competent persons to translate the Governor's inaugural address and annual message into the French and German languages.

On motion of Mr. Gunning, *

Resolved, That whereas, the question of the title of the capitol has been called in question, the county of Wayne claiming the title to it, and the city of Detroit claiming the title to it; therefore, be it

Resolved, That the committee on federal relations be requested to inquire and report to this House, to whom this capitol belongs, as of legal right.

REPORTS.

Mr. Sanborn presented the report of the expenditures of the St. Clair and Romeo railroad company, made in pursuance of their charter, which was laid upon the table.

Mr. Norvell, from the committee on ways and means, to whom was referred the message of the Governor to the House of Representatives, dated the 8th instant, accompanied by a communication from the state treasurer, and several letters from New York, touching certain property "assigned to this state by the Morris canal and banking company," made a report, in which they concluded to present to the House no specific proposition, at this time, in relation to that subject, which report was, on motion, laid upon the table, (*see report and documents on special message of the Governor, number one,*) and on motion of Mr. Crary, the report was ordered to be printed.

Mr. Chipman, from the committee on elections, to whom was referred the memorials and documents of Samuel Ashmun and Joel L. Ankrum, in the matter of the contested election in the county of Chippewa, made a report in detail, on the part of the majority of the committee, adverse to allowing the vacant seat for that county, to be taken by either of the claimants, and referring the whole matter back to the electors of that county; which report was, on motion of Mr. Goodwin, referred to the committee of the whole, and made the special order of the day for Thursday next.

Mr. Wing, from the committee on internal improvement, to whom was referred the joint resolution from the Senate, on the subject of new contracts, reported the same back to the House without amendment.

Resolved by the Senate and House of Representatives of the State of Michigan, That the acting commissioner of internal improvement be, and he is hereby directed and required, to forbear entering into any new contract or arrangement, involving the expenditure of any additional moneys, not now contracted to be expended upon the works of internal improvement of this state, until further directed by the legislature.

And on motion of Mr. Wing, the same was taken up, and after discussion thereon, Mr. Crary moved to lay the same on the table, which motion was lost.

Mr. Goodwin moved to refer the same back to the committee on internal improvement, which was lost by yeas and nays as follows :

YEAS.

Mr. Annable,	Mr. Goodwin,	Mr. Littlejohn,
Mr. Bennett,	Mr. Hawley,	Mr. Lothrop,
Mr. Chipman,	Mr. Howell,	Mr. Preston,
Mr. Crary,	Mr. Humphrey,	Mr. Stuart,
Mr. Dexter,	Mr. King,	

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NAYS.

Mr. Anderson,	Mr. Hanscom,	Mr. Scott,
Mr. Arnold,	Mr. Huthaway,	Mr. Smith,
Mr. Axford,	Mr. Hewitt,	Mr. Turner,
Mr. Babcock,	Mr. Lamb,	Mr. Videtto,
Mr. Ball,	Mr. Lewis,	Mr. Walker,
Mr. Berry,	Mr. Little,	Mr. Wendell,
Mr. Blair,	Mr. Livermore,	Mr. White,
Mr. Bush,	Mr. Magoon,	Mr. Wilson,
Mr. Cooper,	Mr. Mickle,	Mr. Wing,
Mr. Dort,	Mr. Norvell,	Mr. Woodbury,
Mr. Fessenden,	Mr. Rice,	Mr. Speaker,
Mr. Gunning,	Mr. Sanborn,	

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Mr. Stuart moved to amend the resolution, as follows :

“Provided, That nothing herein contained shall prevent the running of the cars on the Central railroad, nor the necessary incidental expenses of engineering, &c., for contracts already let upon said road.

Mr. Hanscom proposed to substitute for Mr. Stuart’s amendment, as follows :

“Provided, That nothing herein contained shall be construed to prevent the commissioner of internal improvement from making the necessary expenditures for the running of the cars upon any railroad belonging to the state ;” which prevailed.

Mr. Goodwin proposed to add the following to the last amendment, which was lost :

“And provided further, That the Cental road may be finished to the depot at Jackson.”

Mr. Lothrop, from the select committee on taxation, to whom was referred the message of the executive, covering a communication from the auditor general, relative to the destruction, by the late fire in this city, of printed lists charged with unpaid taxes, prepared in pursuance of law, for distribution among the several county treasurers and township clerks in this state, and asking for the modification of existing laws that he may discharge his duties, reported that

the committee had had the whole subject under consideration, and asked leave to report a bill to alter and modify sections second and eighth, of part first, title fifth, chapter sixth of the revised statutes; which bill was read a first and second time and referred to the committee of the whole.

Mr. Videtto, from the committee on roads and bridges, reported that, in their opinion, the alteration of a state road in Ingham county, running from Mason Centre to Grand river, through townships three and four north, in range number two west, should be submitted to the commissioners of highways of the township of Alaiedon, with power to change the location of said road, commencing at the northwest corner of section number ten, in township number three north, of range number two west, thence to Grand river.

Your committee are decidedly of the opinion that the change of location of said road, would be conducive to the best interests of a large majority of all concerned.

Mr. Videtto, from the committee on roads and bridges, reported "A bill to authorize John Mullett to erect a dam across Red Cedar creek," which was read a first and second time and referred to the committee of the whole.

A report was received from the attorney general, in compliance with a resolution of the House of the 6th instant, on the subject of banking associations, which was, on motion of Mr. Goodwin, referred to the committee on banks and incorporations.

A report was received from the secretary of state, in compliance with a resolution of the House of the 7th instant, relative to the seventy-two sections of land for the use of salt springs, which, on motion of Mr. Crary, was referred to the committee on federal relations.

The following message was announced from the Senate :

SENATE CHAMBER,
Tuesday, January 11, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the House "Bill for the relief of the county commissioners of the county of Kalamazoo," in which the Senate have concurred.

S. YORKE AT LEE,
Secretary of the Senate.

And the said bill was ordered to be enrolled.

Mr. Norvell, pursuant to previous notice, asked for and obtained leave to introduce "A bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments of writing."

Which bill was, on his motion, referred to the committee on the judiciary.

Mr. Berry, pursuant to notice, introduced "A bill to amend an act entitled 'an act to organize courts of special session,' approved March 19, 1840."

Which bill was referred to the committee on the judiciary.

Mr. Livermore, pursuant to notice, introduced a bill entitled "An act for the security of persons depositing wheat at mills, for flouring, against loss, and to punish fraudulent millers."

Which bill, on his motion, was referred to the committee on agriculture.

Mr. Norvell called up the joint resolution offered by Mr. Lothrop, on the subject of the election of state treasurer, and the same being amended on motion of Mr. Chipman, was adopted in the following words :

Resolved, (the Senate concurring herein,) That the two Houses of the legislature will meet in joint convention, on the 13th instant, at 12 o'clock, M., for the purpose of electing a state treasurer, to fill the unexpired term of Robert Stuart, and also for the succeeding term.

On motion of Mr. Crary,

The House resolved itself into committee of the whole on the general orders, Mr. Bush in the chair, and the report of the judiciary committee, on the ninety-third section of the justices act, being for some time under consideration, the committee rose and reported the same back to the House ; when,

On motion of Mr. Stuart, the same was recommitted to the committee on the judiciary.

On motion of Mr. Smith, the House adjourned.

Wednesday, January 12, 1842.

The House met pursuant to adjournment.

The members present as yesterday, except Mr. Lamb.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday read and approved.

Mr. Turner asked for and obtained leave of absence for Mr. Lamb, on account of indisposition.

PETITIONS.

By Mr. Hanscom. Of the treasurer of Oakland county, for the passage of a law confirming titles, &c., under treasury deeds, and making them evidence of title, &c. Referred to the select committee on taxes.

By Mr. Turner. Three several petitions of inhabitants of Oakland county, asking the repeal of any law authorizing the return of unpaid taxes on non-resident lands to the auditor general for collection. Referred to the select committee on taxes.

By Mr. Fessenden. Of the treasurer of Macomb county, for the passage of a law confirming tax titles, &c. Referred to the select committee on taxes.

By Mr. Smith. Of the treasurer of Genesee county, praying for the passage of a law relative to taxes, &c. Referred to select committee on taxes.

By Mr. Arnold. Of inhabitants of Oakland county, to abolish the office of county commissioner. Referred to the select committee on taxes.

By Mr. French. Of sundry inhabitants of Ingham county, for the organization of a new town. Referred to the committee on towns and counties.

By Mr. Lewis. Claim of Samuel Cowles against the state, for work done on the state prison. Referred to the committee on claims.

By Mr. Hewitt. The account of James Sands, for chairs furnished the supreme and chancery courts of this state. Referred to the committee on claims.

By Mr. Chipman. Claim of S. Taft, for relief in the purchase of university lands. Referred to the committee on university and school lands.

NOTICES.

Mr. Smith gave notice that on some future day he would ask leave to introduce a bill for the assessment and collection of certain taxes therein named, which were omitted to be collected in the year 1839.

REPORTS.

Mr. King, from the committee on enrollment, reported as correctly enrolled, "An act for the relief of the county commissioners of the county of Kalamazoo."

Mr. Livermore, from the committee on claims, to whom was referred the claim of Amos Bigelow, for articles furnished the state prison, reported the same back to the House, and asked its reference to the committee on state prison; and the same was so referred.

Also, reported back the petition of George Davis, of the city of Buffalo, asking for the payment of warrant No. 3067, and asked its reference to the committee on ways and means; and the same was so referred.

Mr. Stuart, from the committee on the judiciary, to whom was referred sundry petitions, with instructions to inquire and report to the House whether in their opinion the existing laws are sufficient to protect the personal liberty of every citizen and stranger within the jurisdiction of this state; and if insufficient, instructing them to report a bill effectually securing the same, reported that, in the opinion of the committee, no further legislation is requisite for that purpose, and asked to be discharged from the further consideration of the subject.

Which report, on motion of Mr. Hanscom, lays upon the table.

Mr. Stuart, from the committee on the judiciary, to whom was referred certain petitions praying for the repeal or modification of the ninety-third section of the justices act, so called, reported "A bill to amend 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841;" which bill was referred to the committee of the whole.

A report was received from the superintendent of public instruction, in compliance with a resolution of the House of the 8th instant, in relation to trespassers on university and school lands; which report was, on motion of Mr. Crary, referred to the committee on university and school lands.

The following message was announced from the Senate :

SENATE CHAMBER,
Tuesday, January 11, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to you a joint resolution of instruction, in regard to the general bankrupt law, which has this day passed the Senate, and to respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,
Secretary of the Senate.

And the resolution, as follows, was, on motion of Mr. Crary, referred to the committee on federal relations :

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators be instructed and our representative in congress be requested, to use their best efforts to procure the compulsory clause in said act to extend to and include banking incorporations, and that they use their best exertions to prevent any alterations in said bill, that will render the same nugatory and inoperative, or that will in any degree postpone the time further for said law to take effect.

Resolved, That the Governor of this state be requested to forward copies of the foregoing resolution to each of our senators and representative in congress.

Mr. Wing, pursuant to previous notice, introduced "A bill relative to chancery orders and notices,"

Which, on motion of Mr. Norvell, was referred to the committee on the judiciary.

On motion of Mr. Norvell, the bill to amend the seventh chapter, title second, part third of the revised statutes, concerning "judgments in courts of record, and executions thereon," was taken from the table and referred to the committee on the judiciary.

RESOLUTIONS.

On motion of M. Howell,

Resolved, That from and after this day, the House will hold two daily sessions.

On motion of Mr. Norvell,

Resolved, That the committee on banks and incorporations, in

quire into the expediency of passing an act to prohibit any company or corporation, not expressly authorized, to issue notes or bills as a circulating medium, from issuing or putting into circulation, any such notes or bills.

On motion of Mr. Crary,

Resolved, That the secretary of state be directed to report to this House. the number of volumes wanting in the state library, to make a complete set of all laws passed by the government of the territory north-west of the river Ohio; of the territory of Indiana before 1805, and of the territory of Michigan before the year 1827; whether it be possible to obtain copies of such laws, and also of all laws in force while Michigan was under the governments of France and Great Britain, and the probable expense of the same.

On motion of Mr. Bush,

Resolved, That the board of internal improvement be requested to report to this House, the several sums paid by the state for the right of way and use of ground for the location and construction of the several works of internal improvement, specifying the sums paid, to whom, what the amount, and upon what work.

On motion of Mr. Fessenden,

Resolved, That the committee on the judiciary be requested to inquire into the expediency of providing by law for the appointment of circuit attorneys in the several judicial circuits of this state.

GENERAL ORDER.

On motion of Mr. Crary, the House resolved itself into committee of the whole on the general orders, Mr. Goodwin in the chair.

After some time spent thereon, the committee rose and reported upon the following bills:

On the "Bill to accept a certain grant of land made by the United States to the State of Michigan, and to authorize the Governor to cause the same to be located;" the bill with amendments, in which they asked the concurrence of the House.

On the "Bill to alter and modify section second and eighth section of part first, title fifth, chapter sixth of the revised statutes;" the bill without amendment.

On the "Bill to authorize John Mullett to erect a dam across Red Cedar river;" the bill without amendment.

On the "Bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841;" the bill without amendment.

On motion of Mr. Lothrop, the reports of the committee of the whole were severally laid upon the table, with the exception of the "Bill to alter and modify section second and eighth section of part first, title fifth, chapter sixth of the revised statutes;" which considered, on his motion, the bill was amended by inserting as section three,

"That so much of the eighth section of said chapter sixth as requires the auditor general to prepare a separate notice for each county, in which there shall be any land to be sold for taxes; and that the county treasurers shall be authorized to have published in some newspaper in such county said notice, be and the same is hereby suspended;" and the bill, as amended, was ordered to be engrossed; when,

On motion of Mr. Lothrop, the rule was suspended, the bill read a third time and passed.

On motion of Mr. Norvell, the "Bill to accept a certain grant of land made by the United States to the State of Michigan, and to authorize the Governor to cause the same to be located," was taken up, the amendments concurred in, the rule suspended, the bill read a third time and passed.

Mr. Livermore moved an adjournment, which was lost.

Senators Wakefield and Cust were announced with a message from the Senate, in which they asked the concurrence of the House, as follows:

Whereas, There appears to exist no definite arrangement as regards the form and mode of official communication between the Senate and House of representatives of this state; *and whereas*, a misunderstanding has grown out of a want of such arrangement; therefore,

Resolved by the Senate and House of Representatives, That a joint committee be appointed, to consist of two members from each branch, whose duty it shall be to examine into the propriety of establishing fixed rules regulating said matter.

On motion of Mr. Stuart, the rule was suspended, and the preamble and resolution from the Senate being under consideration,

On motion of Mr. Goodwin, the preamble was rejected, and the resolution concurred in.

On motion of Mr. Turner, the House adjourned.

Thursday, January 13, 1842.

The House met pursuant to adjournment.

The members were all present.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Gunning. Claim of Thomas Calley, for payment of a certain demand. Referred to the committee on claims.

By Mr. Turner. Of George Campau, for relief. Referred to the committee on claims.

By Mr. Wing. Affidavit of W. Wing, in the case of Lewis E. Bailey. Referred to the committee on claims.

By Mr. Cooper. Claim of L. Fallaher, for work done on state prison. Referred to the committee on claims.

By Mr. Berry. Of certain inhabitants of Branch county, for an amendment of the constitution, so as to hold elections but one day.

• Referred to the committee on elections.

By Mr. Berry. Two several petitions of certain inhabitants of the county of Branch, to abolish the office of county commissioner, and to re-establish the board of supervisors in their stead. Referred to the committee on taxation.

By Mr. Crary. Of the trustees of the Wesleyan seminary at Albion, asking for a loan out of the university and school funds, of ten thousand dollars. Referred to the committee on education.

REPORTS.

Mr. Stuart, from the committee on the judiciary, submitted the following report :

To the House of Representatives :

Your committee on the judiciary have had under consideration the

several petitions and bills hereinafter specified, and in regard thereto, through their chairman, ask leave to make the following report :

1st. Against the prayer of the petitions of certain sheriffs, asking an increase by law of sheriff's fees.

2d. Also, against the prayer of the petition of William Force, of Washtenaw county, asking for leave to sell certain lands belonging to certain heirs, because, in the opinion of your committee, an application would be more properly made to a court of chancery, where the rights of all person interested can be perfectly enforced and protected.

3d. Also, against granting the prayer of the county commissioners of the county of Livingston, who petition for the passage of an act to legalize certain assessments in said county. Because, first, upon grounds of public policy and expediency. Your committee are unanimously of the opinion that the tendency of all legislation, similar in character, is to increase the difficulty complained of, by inducing remissness on the part of public officers. And, secondly, your committee submit, that if the omissions and errors complained of, render the proceeding invalid, it is not in the power of the legislature, by subsequent legislation, to correct the evil. From the further consideration of all which, your committee ask to be discharged.

4th. Your committee report back to the House, "A bill relative to chancery orders and notices," without any amendment.

5th. Also, "A bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments of writing," with an amendment, by striking out the word "available," in the sixth line from the bottom, and inserting the word "valid."

6th. Also, a substitute for "A bill to exempt from execution or sale, certain property."

7th. Also, "A bill to repeal the act concerning courts of special sessions, approved March 19, 1840."

CHARLES E. STUART, *Chairman.*

And the several bills enumerated in the report of the judiciary committee, were referred to the committee of the whole, and the judiciary committee discharged from the further consideration of the subjects before them, on which they asked a discharge.

Mr. Stuart, from the committee on university and school lands, to whom was referred the petition of Thomas K. Green, of the county of Berrien, reported "A bill to authorize the superintendent of public instruction to rectify certain errors in regard to a sale of school lands to Thomas K. Green, and to do certain other acts incident thereto."

Mr. French, from the committee on agriculture and manufactures, to whom was referred the bill entitled "An act for the security of persons depositing wheat at mills for flouring, against loss, and to punish fraudulent millers," with proposed amendments, and the same was referred to the committee of the whole.

Mr. Crary, from the committee on education, to whom was referred so much of the annual message of the Governor, as relates to the separation of the fiscal from the other duties of the superintendent of public instruction, reported "A bill to create the office of commissioner of university and primary school funds and state lands, and for other purposes;" which bill was referred to the committee of the whole.

Mr. Crary, from the committee on federal relations, made the following report :

The committee on federal relations, to which was referred the joint resolutions of the Senate, in relation to the general bankrupt law, enacted at the late extra session of congress, beg leave respectfully to report :

That they have had the same under consideration, and recommend the striking out all between the word "Michigan," in the second line, and the word "effect," in the last line of the first resolution, and insert the following :

"That our senators in congress be instructed, and our representative requested, to use their best exertions to obtain the passage of a law including banks and other corporations in the compulsory provisions of an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States.'"

Resolved, That our senators in congress be also instructed, and our representative requested, to oppose the repeal and to vote against any further postponement of the time when said act shall take effect.

Mr. Livermore, from the committee on claims, to whom was re-

ferred the petition of William H. Cross and A. Holbrook, for compensation and relief in relation to contracts on the Central railroad, the payment of a certain judgment obtained against the state in the circuit court of Jackson county, reported adverse to the allowance of said claims, and that said judgment is not a proper subject matter for their consideration.

Whereupon, the committee were discharged from the further consideration thereof and the petitioners had leave to withdraw their petition.

Mr. Lamb, from the minority of the committee on elections, made a report on the claims of Samuel Ashmun and Joel L. Ankrum to the vacant seat for the county of Chippewa, favorable to the claims of Samuel Ashman, which report was referred, with the majority report to the committee of the whole.

A report from the auditor general was received in reply to the resolution of the House of the 7th instant, on the subject of the mill property in the village of Frederick, in the county of Macomb; which report was referred to the committee on ways and means.

The following message was announced from the Governor, by his private secretary, J. M. Welch, Esq.:

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, an act entitled "An act for the relief of the county commissioners of the county of Kalamazoo.

JOHN S. BARRY.

Executive Office, January 13, 1842.

RESOLUTIONS.

On motion of Mr. Wing,

Resolved, That the acting commissioner of internal improvement be requested to report to this House, the quantity of rail road iron and spikes which was on hand belonging to the state, on the 6th day of April, A. D. 1841; the entire amount received since that time; the specific application of iron and spike upon the several works of internal improvement in the state within the last year, and under what appropriations they were made; the quantity and quality of all kinds of iron and spike remaining on hand, where situated and under what circumstances. Also, to report whether there are any existing con-

tracts for additional quantities of iron and spike ; if any, whether under any embarrassment, and if so, what those embarrassments are.

On motion of Mr. Cooper,

Resolved, That the commissioner of internal improvement be instructed to report to the House what amount of repairs are now necessary to be made on the Central railroad between Detroit and Ypsilanti, to preserve the same ; whether any iron was used on this part of the road, which was not charged in his annual report for repairs ; if so, the value of the same ; an estimate of the probable amount of receipts and expenditures on the Central road during the coming year, and whether any or what retrenchment can be made in using the road.

On motion of Mr. Livermore,

Resolved, That the afternoon sessions of this House shall commence at half past two o'clock, P. M., until otherwise ordered.

On motion of Mr. Chipman,

Resolved, That the judiciary committee be instructed to inquire into the expediency of so amending an act entitled an act of forcible entry and detainer, as to allow jurors sitting on trials under that act, to receive fees therefor.

On motion of Mr. Norvell,

Resolved, That the committee on elections be instructed to inquire into the expediency of amending the third section of the act to preserve the purity of elections, and to amend part first of the revised statutes, so as to include in the penalties of said section, any person who, being a qualified voter, shall vote, or offer to vote at any election, in any township or ward in which he does not reside, or shall vote or offer to vote more than once at the same election.

On motion of Mr. Lamb,

Resolved, That the select committee on taxation be instructed to inquire into the expediency and propriety of a repeal of any or all laws, requiring the return of unpaid taxes on non-resident lands to the auditor general for collection, and that they have leave to report by bill or otherwise.

On motion of Mr. Bush,

Resolved, That the committee on elections be instructed to inquire

into the expediency of repealing an act entitled "An act to preserve the purity of elections," approved April 13th, 1841.

Mr. Goodwin offered the following preamble and resolution, which were adopted :

Whereas, By the settlement between the Michigan state bank and the commissioners of the state, appointed for that purpose, by the act of the first of February, 1840, it appears that the said commissioners have agreed that the state shall "indemnify and save harmless" the said bank, or any of its grantors, from a bond and mortgage, given by said bank to the bank of Michigan, of 11,250 dollars; also a bond and mortgage given by L. B. Mizner to J. H. Wood, upon which fifteen hundred dollars remain due; also the bond and mortgage of E. P. Hastings to W. W. Miller, upon which ten thousand dollars of principal remain due; and also to "indemnify and leave harmless," the said bank from all claims of attorneys and agents for professional services and disbursements in and about all the securities turned out to the state by said bank :

And whereas, Good faith should always be supported on the part of a sovereign state, in the performance of all its lawful engagements for the payment of money :

And whereas, The legislature are alike the guardians of the public treasury and the rights of individuals : therefore,

Be it resolved, That the committee on the judiciary inquire and report to this House,

First—Whether the commissioners on making the settlement aforesaid, were authorized or empowered by the act of February 1, 1840, to bind the state to make the payments aforesaid.

Secondly—Whether the contract itself, being an excess of authority on the part of the agents of the state, is not a nullity; or, if binding, how far the same is binding.

On motion of Mr. Little,

Resolved by the House of Representatives, That Samuel Ashmun be, and he is hereby allowed the privilege of appearing by counsel in advocating his claim to a seat on this floor, and that the sergeant-at-arms be required to furnish a seat at the bar of this House, for said counsel.

NOTICES.

Mr. Dort gave notice that at some future day, he would ask leave to introduce a bill to amend an act entitled "An act to provide for the draining of swamps, marshes, and other low lands."

On motion of Mr. Howell,

Resolved, That a committee of two from the House, be appointed to inform the Senate that the House is now ready to meet that body in joint convention, in the hall of the House of Representatives, for the purpose of electing a state treasurer, agreeably to a joint resolution of the two houses.

And the Speaker announced Messrs. Howell and Fessenden, as such committee.

Joint Convention.

At twelve o'clock, this 13th day of January, 1842, the two houses met in pursuance of joint resolution, in the hall of representatives, for the purpose of electing a state treasurer.

On calling the roll of the Senate, by the secretary, the members were all present except Senator Kingsley.

On calling the roll of the House of Representatives, by the clerk, the members were all present but Mr. Livermore.

On motion of Mr. Norvell, the convention proceeded to an election of a state treasurer, to fill the unexpired term of Robert Stuart.

The Senators being called, voted as follows :

FOR JOHN J. ADAM,

Mr. Bell,	Mr. Granger,	Mr. Wakefield,	
Mr. Burch,	Mr. Greenly,	Mr. Walker,	
Mr. Cust,	Mr. Hewitt,	Mr. Warner,	
Mr. Fuller,	Mr. Shearer,	Mr. Wixom,	12

FOR GEORGE W. JERMAIN,

Mr. Champlin,	Mr. Gidley,	Mr. Trowbridge,	
Mr. Deming,			4

The Representatives being called, voted as follows :

FOR JOHN J. ADAM,

Mr. Anderson,	Mr. Fessenden,	Mr. Norvell,
Mr. Annable,	Mr. French,	Mr. Preston,
Mr. Arnold,	Mr. Goodwin,	Mr. Rice,
Mr. Axford,	Mr. Gunning,	Mr. Sanborn,
Mr. Babcock,	Mr. Hanscom,	Mr. Scott,
Mr. Bull,	Mr. Hathaway,	Mr. Sheldon,
Mr. Bennett,	Mr. Hawley,	Mr. Stuart,

Mr. Berry,	Mr. Hewitt,	Mr. Videtto,	
Mr. Blair,	Mr. Howell,	Mr. Walker,	
Mr. Bush,	Mr. Humphrey,	Mr. Wendell,	
Mr. Chipman,	Mr. King,	Mr. White,	
Mr. Cooper,	Mr. Lewis,	Mr. Wilson,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Dort,	Mr. Magoon,	Mr. Speaker,	45

FOR GEORGE W. JERMAIN,

Mr. Lamb,	Mr. Mickle,	Mr. Turner,	
Mr. Little,	Mr. Smith,		5

The convention then proceeded to the election of a state treasurer for the next constitutional term, and the vote stood as follows :

Senators—FOR JOHN J. ADAM,

Mr. Bell,	Mr. Granger,	Mr. Wakefield,	
Mr. Burch,	Mr. Greenly,	Mr. Walker,	
Mr. Cust,	Mr. Hewitt,	Mr. Warner,	
Mr. Fuller,	Mr. Shearer,	Mr. Wixom,	
Mr. Gidley,	Mr. Trowbridge,		14

FOR GEORGE W. JERMAIN,

Mr. Champlin,	Mr. Deming,		2
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Representatives—FOR JOHN J. ADAM,

Mr. Anderson,	Mr. French,	Mr. Norvell,	
Mr. Annable,	Mr. Goodwin,	Mr. Preston,	
Mr. Arnold,	Mr. Gunning,	Mr. Rice,	
Mr. Axford,	Mr. Hanscom,	Mr. Sanborn,	
Mr. Babcock,	Mr. Hathaway,	Mr. Scott,	
Mr. Ball,	Mr. Hawley,	Mr. Sheldon,	
Mr. Bennett,	Mr. Hewitt,	Mr. Stuart,	
Mr. Berry,	Mr. Howell,	Mr. Videtto,	
Mr. Blair,	Mr. Humphrey,	Mr. Walker,	
Mr. Bush,	Mr. King,	Mr. Wendell,	
Mr. Chipman,	Mr. Lewis,	Mr. White,	
Mr. Cooper,	Mr. Little,	Mr. Wilson,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Dort,	Mr. Magoon,	Mr. Speaker,	
Mr. Fessenden,			46

FOR GEORGE W. JERMAIN,

Mr. Lamb,	Mr. Smith,	Mr. Turner,	
Mr. Mickle,			4

The President of the Senate having announced the result of the several votes,

Mr. Goodwin offered the following declaration, which was adopted :

Whereas, In joint convention, John J. Adam has received the highest number of votes for the office of state treasurer ;

Therefore, John J. Adam is hereby declared duly elected state treasurer, to fill the unexpired term of Robert Stuart, and for the next constitutional term of two years,

On motion of Senator Champlin, the convention adjourned *sine die*.

S. YORKE AT LEE,
Secretary of the Senate,
E. J. ROBERTS,

Clerk House of Representatives.

The House being called to order by the Speaker, the following message was received :

SENATE CHAMBER, }
Saturday, January 8, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the bill to repeal the suspension act, passed April 12, 1841, &c., and respectfully inform the House that the Senate have concurred in the same with certain amendments thereto attached, and according to the engrossed copy herewith sent.

Also, to transmit “ A bill to provide for the payment of members and officers of the present legislature,” which has passed the Senate, and in which the concurrence of the House is respectfully requested.

Also, to inform the House that the Senate have concurred in the House resolution relative to the election of state treasurer, which is herewith returned.

Also, to transmit to the House a joint resolution relative to the rules of the probate court ; also, an act relative to the public printing, which have passed the Senate, and in which the concurrence of the House is respectfully requested.

S. YORKE AT LEE,
Secretary of the Senate.

And the bill to repeal the suspension act, passed April 12, 1841, was laid upon the table.

The Senate bill to provide for the payment of members and officers of the present legislature, was referred to the committee on ways and means.

The joint resolution relative to the rules of the probate court, was referred to the committee on the judiciary.

And the Senate bill entitled "An act relative to the public printing," was referred to the committee of the whole.

On motion of Mr. Howell, the House adjourned until half past 2 o'clock, P. M.

Afternoon Session.

The House met pursuant to adjournment.

The roll called and a quorum present.

Mr. Lothrop in the chair, announced as the special order of the day, the subject of the contested seat for the county of Chippewa, and the presence of Moses Wisner, Esq., as the counsel on the part of Samuel Ashmun, Esq., one of the complainants; when,

On motion of Mr. Littlejohn, it was

Resolved, That the counsel authorized by a resolution of this House, to appear and advocate the claims of Samuel Ashmun to a seat therein, be subject to all the restrictions and limitations imposed by the rules of the House upon its members in debate.

The House then resolved itself into committee of the whole, Mr. Wing in the chair, on the special order, and after some time spent thereon, the committee rose, reported progress, and asked leave to sit again; leave was granted, and,

On motion of Mr. Crary,

The House took a recess until half past six o'clock, this evening.

Evening Session.

The Speaker resumed the chair, and a quorum being present, the House, on motion of Mr. Lothrop, again resolved itself into committee of the whole on the special order, Mr. Wing in the chair.

After some time spent thereon, the committee rose and reported the resolution submitted by the majority of the committee on elections, with an amendment, to the following effect:

Resolved, first, That the said Samuel Ashmun is not entitled to a seat in this House, as a representative from Chippewa.

Second. That the said Joel L. Ankrim is not entitled to a seat in this House, as a representative from Chippewa.

Resolved, therefore, That a vacancy exists in this House in the representative from the county of Chippewa.

And the amendments being divided, and taken by yeas and nays, the first division was concurred in, by the following vote :

YEAS.

Mr. Annable,	Mr. Gunning,	Mr. Sanborn,
Mr. Arnold,	Mr. Hanscom,	Mr. Stuart,
Mr. Axford,	Mr. Hewitt,	Mr. Videtto,
Mr. Babcock,	Mr. Howell,	Mr. Walker,
Mr. Bennett,	Mr. Lewis,	Mr. Wendell,
Mr. Blair,	Mr. Littlejohn,	Mr. White,
Mr. Bush,	Mr. Livermore,	Mr. Wilson,
Mr. Chipman,	Mr. Preston,	Mr. Woodbury,
Mr. Dort,	Mr. Rice,	Mr. Speaker,
Mr. Fessenden,		

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Lothrop,
Mr. Ball,	Mr. Hathaway,	Mr. Magoon,
Mr. Berry,	Mr. Hawley,	Mr. Norvell,
Mr. Cooper,	Mr. Humphrey,	Mr. Sheldon,
Mr. Crary,	Mr. King,	Mr. Smith,
Mr. Dexter,	Mr. Lamb,	Mr. Turner,
Mr. French,	Mr. Little,	Mr. Wing,

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The second division was concurred in, by the following vote :

YEAS.

Mr. Annable,	Mr. Goodwin,	Mr. Preston,
Mr. Arnold,	Mr. Gunning,	Mr. Rice,
Mr. Axford,	Mr. Hanscom,	Mr. Sanborn,
Mr. Babcock,	Mr. Hathaway,	Mr. Sheldon,
Mr. Ball,	Mr. Hewitt,	Mr. Stuart,
Mr. Bennett,	Mr. Howell,	Mr. Smith,
Mr. Berry,	Mr. Humphrey,	Mr. Turner,
Mr. Blair,	Mr. King,	Mr. Videtto,
Mr. Bush,	Mr. Lewis,	Mr. Walker,
Mr. Chipman,	Mr. Little,	Mr. Wendell,
Mr. Cooper,	Mr. Littlejohn,	Mr. White,
Mr. Crary,	Mr. Livermore,	Mr. Wilson,
Mr. Dort,	Mr. Lothrop,	Mr. Wing,
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Norvell,	Mr. Speaker,

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NAYS.

Mr. Anderson,	Mr. Hawley,	Mr. Lamb,
Mr. Dexter,		

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The third division, amended by Mr. Norvell, by inserting from the above section, was also concurred in, as follows :

YEAS.

Mr. Annable,	Mr. Gunning,	Mr. Rice,
Mr. Arnold,	Mr. Hanscom,	Mr. Sanborn,
Mr. Axford,	Mr. Hathaway,	Mr. Stuart,
Mr. Babcock,	Mr. Hewitt,	Mr. Videtto,
Mr. Bennett,	Mr. Howell,	Mr. Walker,
Mr. Blair,	Mr. Lewis,	Mr. Wendell,
Mr. Bush,	Mr. Littlejohn,	Mr. White,
Mr. Chipman,	Mr. Livermore,	Mr. Wilson,
Mr. Cooper,	Mr. Lothrop,	Mr. Woodbury,
Mr. Dort,	Mr. Preston,	Mr. Speaker,
Mr. Fessenden,		31

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Ball,	Mr. Hawley,	Mr. Sheldon,
Mr. Berry,	Mr. Humphrey,	Mr. Smith,
Mr. Crary,	Mr. Lamb,	Mr. Turner,
Mr. Dexter,	Mr. Little,	Mr. Wing,
Mr. French,	Mr. Magoon,	17

And the final question being taken on the resolutions, the same were adopted, and,

On motion, the House adjourned till to-morrow morning, at ten o'clock.

Friday, January 14, 1842.

The House met pursuant to adjournment.

The members were all present, except Mr. Arnold.

Prayer by the Rev. Mr. Ten Brook.

The journal of yesterday read and corrected.

Mr. Livermore asked for and obtained leave of absence for Mr. Arnold until Monday.

PETITIONS.

By Mr. Goodwin. Of sundry citizens of Washtenaw county, asking an extension of the powers of the receiver of the bank of Manchester. Referred to the committee on banks and incorporations.

By Mr. Goodwin. Of sundry inhabitants of Lenawee county, for an extension of the powers of the receiver of the bank of Manchester. Referred to the committee on banks and incorporations.

By Mr. Woodbury. Of inhabitants of Lenawee county, praying a repeal of the two third act. Referred to the committee on the judiciary.

By Mr. Rice. Two several petitions of citizens of Dexter, praying the repeal of an act relative to the sale of real and personal estate on execution, and an act supplementary thereto. Referred to the committee on the judiciary.

By Mr. Livermore. Of citizens of Avon, Oakland county, relative to the establishment of certain roads. Referred to the committee on roads and bridges.

By Mr. Woodbury. Two several petitions of inhabitants of Lenawee county, for a reduction in the contracts of school lands purchased previous to the passage of the law of 1841, reducing the price of unsold school lands. Referred to the committee on university and school lands.

By Mr. Hanscom. Of one hundred and twenty-eight inhabitants of Oakland county, for relief in the purchase of school and university lands. Referred to the committee on university and school lands.

By Mr. Berry. Of inhabitants of the county of Branch, for reducing the price of university and school lands that have been sold. Referred to the committee on university and school lands.

By Mr. Cooper. Claim of S. H. Kimball. Referred to the committee on claims.

REPORTS.

A report was received from the secretary of state, in compliance with a resolution of the House, in relation to laws of Michigan in the state library, stating that there are no volumes of laws therein, prior to 1827, which report lays upon the table.

Mr. Norvell, from the committee of ways and means, reported back to the House, the Senate bill providing for the payment of the officers and members of the legislature, with an amendment; and the same, on his motion, was made the special order of the day.

RESOLUTIONS.

On motion of Mr. Humphrey,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of prohibiting any circuit judge from participating in the decision, by the supreme court, of any question which may have been decided by or raised before such judge on his circuit.

On motion of Mr. Livermore,

Resolved, That the committee on ways and means be instructed to inquire into the justice and propriety of allowing the holders of estimates and warrants for work done on works of internal improvement prior to the passage of an act to provide for the further construction of certain works of internal improvement, approved March 12, 1841, interest on the same until the same shall be paid.

On motion of Mr. Howell,

Resolved, That the operation of the resolution heretofore adopted, requiring two daily sessions by this House, be suspended for a period of six days, and that the daily session of the same commence at nine o'clock, A. M.

NOTICES.

Mr. Anderson gave notice that at some future day he should ask leave to bring in a bill to abolish the office of township assessors and township collectors, and substitute three county assessors and one county collector.

SPECIAL ORDER.

On motion of Mr. Norvell, the House then resolved itself into committee of the whole on the special order, Mr. Dort in the chair.

After some time spent thereon, the committee rose and reported the bill with amendments, and the House having the same under consideration, concurred in the amendment, to strike out in the first section of the bill, the word "twenty," and insert "fifteen."

On the amendment to strike out in second section, "for the first sixty days of the session," the question was taken by yeas and nays as follows :

YEAS.

Mr. Anderson,
Mr. Axford,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Crary,
Mr. Dort,
Mr. Fessenden,
Mr. French,
Mr. Goodwin,

Mr. Gunning,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Littlejohn,
Mr. Livermore,
Mr. Magoon,
Mr. Mickle,
Mr. Preston,

Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Walker,
Mr. Wendell,
Mr. Wilson,
Mr. Woodbury,
Mr. Speaker,

NAYS.

Mr. Annable,	Mr. Hanscom,	Mr. Rice,
Mr. Babcock,	Mr. Hathaway,	Mr. White,
Mr. Cooper,	Mr. Little,	Mr. Wing,
Mr. Dexter,	Mr. Norvell,	11

The amendment to strike out of section second, the word "three," and insert "six," wherever it occurred in relation to the President of the Senate and Speaker of the House of Representatives, was concurred in by yeas and nays as follows :

YEAS.

Mr. Ball,	Mr. Hanscom,	Mr. Mickle,
Mr. Bennett,	Mr. Hathaway,	Mr. Norvell,
Mr. Berry,	Mr. Hawley,	Mr. Preston,
Mr. Bush,	Mr. Howell,	Mr. Sanborn,
Mr. Chipman,	Mr. Humphrey,	Mr. Stuart,
Mr. Cooper,	Mr. King,	Mr. Turner,
Mr. Crary,	Mr. Lamb,	Mr. Videtto,
Mr. Dexter,	Mr. Lewis,	Mr. Wendell,
Mr. Dort,	Mr. Little,	Mr. Wilson,
Mr. Fessenden,	Mr. Littlejohn,	Mr. Wing,
Mr. French,	Mr. Livermore,	Mr. Woodbury,
Mr. Goodwin,	Mr. Lothrop,	35

NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Sheldon,
Mr. Annable,	Mr. Hewitt,	Mr. Smith,
Mr. Axford,	Mr. Magoon,	Mr. Walker,
Mr. Babcock,	Mr. Rice,	Mr. White,
Mr. Blair,	Mr. Scott,	14

And the following amendment was concurred in, to be inserted as

"Sec. 3. For the purposes of this act, the treasurer is hereby directed to make the necessary transfers from any of the other funds, to the general fund."

Mr. Norvell then moved to insert in the second section, where the words "for the first sixty days of the session" had been stricken out, the words "during the first forty days of the session," which amendment was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Dort,	Mr. Rice,
Mr. Axford,	Mr. Fessenden,	Mr. Scott,
Mr. Babcock,	Mr. French,	Mr. Sheldon,
Mr. Ball,	Mr. Hanscom,	Mr. Smith,
Mr. Berry,	Mr. Hathaway,	Mr. Walker,
Mr. Bush,	Mr. Little,	Mr. Wendell,

Mr. Cooper,
Mr. Crary,

Mr. Norvell,

Mr. White,

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NAYS.

Mr. Annable,
Mr. Bennett,
Mr. Blair,
Mr. Chipman,
Mr. Dexter,
Mr. Goodwin,
Mr. Gunning,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,

Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,
Mr. Mickle,

Mr. Preston,
Mr. Sanborn,
Mr. Stuart,
Mr. Turner,
Mr. Videtto,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

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Mr. Gunning moved to amend by striking out the word "three," wherever it occurred, and insert "two dollars and fifty cents;" also, to strike out the word "six," and insert "five dollars per day."

Mr. Hanscom moved to amend by inserting "two" and "four," in lieu of "three" and "six," which motion was lost.

And the question then recurring on the motion of Mr. Gunning, the same was lost by yeas and nays as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Blair,

Mr. Dort,
Mr. Gunning,
Mr. Hewitt,
Mr. Lumb,
Mr. Lothrop,
Mr. Magoon,

Mr. Rice,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. White,

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NAYS.

Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,
Mr. French,
Mr. Goodwin,
Mr. Hanscom,

Mr. Hathaway,
Mr. Hawley,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Mickle,

Mr. Norvell,
Mr. Preston,
Mr. Sanborn,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,

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The bill, as amended, was then passed to a third reading, and, on motion of Mr. Howell, the rules were suspended and the bill read a third time, passed, and was transmitted to the Senate.

On motion of Mr. Preston,

The rule was suspended, and the bill from the Senate, entitled

"An act relative to the public printing," was taken up, and being under consideration, the same was amended on motion of Mr. Dort, so as to insert at the end of the first section :

"The secretary of state is also instructed to contract with Asahel S. Bagg, for doing the state printing for the current year, provided the terms shall not exceed those above specified."

And, on motion of Mr. Lothrop, the following amendment was added thereto :

"The quality of the paper to be used, and the character and style of the work, to be the same as the work done for the state in the year A. D. 1839."

And, on motion of Mr. Goodwin, the same was still further amended, by adding, "Provided he give satisfactory security for the faithful execution of all the works herein specified."

And the bill, as amended, was passed to a third reading, when,

On motion of Mr. Dort, the rules were suspended, the same read a third time, passed, and transmitted to the Senate.

On motion of Mr. Bush,

The rule was suspended, and the bill to repeal the suspension act, passed April 12, 1841, and for other purposes, was taken up, and the amendments of the Senate thereto, being under consideration, the House non-concurred with the Senate in their amendment to the second section, and concurred,

On motion of Mr. Lothrop, in the amendment to the fifth section, with an amendment striking out the words "such suit," and inserting "the liability for which such suit was instituted."

And the bill, as amended, having passed to a third reading, the rules were suspended, the same read a third time, passed, and transmitted to the Senate.

On motion of Mr. Scott,

The House adjourned till to-morrow morning, nine o'clock.

Saturday, January 15, 1842.

The House met pursuant to adjournment.

The members were present, except Mr. Arnold, on leave, and Messrs. Hewitt and Humphrey.

Prayer by the Rev. Mr. Pilcher,

The journal of yesterday was read and corrected.

Mr. Wing asked for and obtained leave of absence for Mr. Humphrey, until Tuesday.

Mr. Rice, for Mr. Hewitt, until Tuesday.

PETITIONS.

By Mr. Wilson. Of the treasurer of Lenawee county, in relation to tax deeds. Referred to select committee on taxes.

By Mr. Lamb. Of treasurer of Lapeer county, in relation to tax deeds. Referred to the select committee on taxes.

By Mr. Wing. Of J. H. Hatch, for division of lands. Referred to the committee on internal improvement.

By Mr. Speaker. Of inhabitants of the county of Cass, in relation to a division of certain towns. Referred to the committee on towns and counties.

By Mr. Crary. Of seventy-eight citizens of Calhoun county, for an extension of the right of trial by jury. Referred to the committee on the judiciary.

By Mr. Crary. Of twenty-one citizens of Calhoun county, praying that the word "white" be expunged from that part of the constitution having relation to the elective franchise. Referred to the committee on elections.

By Mr. Stuart. Of seventy-one inhabitants of Kalamazoo county, praying for an abatement of the contract price of university and school land heretofore sold. Referred to the committee on university and school lands.

By Mr. Videtto. Claim of Benjamin Porter against the state. Referred to the committee on claims.

By Mr. Gunning. Of A. B. Markham, of Wayne county, on the subject of taxing the state lands to the occupants. Referred to the select committee, of which Mr. Lothrop is chairman.

By Mr. Bush. Of Emery Beal for relief. Referred to the committee on claims.

REPORTS.

The report of the state geologist, relative to the state salt springs, was received, and, on motion of Mr. Crary, laid upon the table and ordered to be printed.

A report was received from the commissionr of internal improvement, in compliance with the resolution of the House of the 7th instant ; which, on motion of Mr. Wing, was referred to the committee on internal improvement.

The following message was announced from the Senate :

SENATE CHAMBER,
Saturday, January 15, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House a joint resolution relative to the right of petition, and moneyed incorporations, and respectfully inform you that the same has been adopted by the Senate, and that the concurrence of the House therein is respectfully asked.

S. YORKE AT LEE,

Secretary of the Senate.

And on motion of Mr. Crary, the joint resolution of the Senate, relative to the right of petition and moneyed incorporations, was referred to the committee on federal relations.

RESOLUTIONS.

On motion of Mr. Babcock,

Resolved, That the committee on university and school lands, be instructed to inquire into the expediency of leasing certain university lands in Oakland, being sections eight, nine, thirty and thirty-one, in the township of Southfield ; also, to inquire into the value of such lands.

On motion of Mr. Bush,

Resolved, That the committee on ways and means be requested to take into consideration the propriety of instructing the treasurer not to re-issue any state scrip that may be, or may have been redeemed by said treasurer.

On motion of Mr. Hanscom,

Resolved, That the committee on the judiciary be instructed to inquire and report to this House, whether this state has the power to convey the lands ceded by the general government to the state for creating a fund for the purposes of education, and if so, whether the state can convey the fee of said lands.

GENERAL ORDER.

On motion of Mr. Norvell, the House resolved itself into committee of the whole on the general order, Mr. Stuart in the chair.

After some time spent thereon, the committee rose and reported back to the House the "Bill to authorize the superintendent of public instruction to rectify certain errors in regard to a sale of school lands to Thomas K. Green, and to do certain other acts incident thereto," without amendment.

Also, the "Bill to repeal an act to provide for the organization of courts of special session," with an amendment, and the same being under consideration, the amendment was concurred in, by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Rice,
Mr. Annable,	Mr. Goodwin,	Mr. Sanborn,
Mr. Babcock,	Mr. Gunning,	Mr. Sheldon,
Mr. Ball,	Mr. Hathaway,	Mr. Smith,
Mr. Bennett,	Mr. Hawley,	Mr. Turner,
Mr. Berry,	Mr. Lamb,	Mr. Videtto,
Mr. Blair,	Mr. Lewis,	Mr. Walker,
Mr. Bush,	Mr. Little,	Mr. White,
Mr. Cooper,	Mr. Lothrop,	Mr. Wilson,
Mr. Dexter,	Mr. Magoon,	Mr. Speaker,
Mr. Dort,	Mr. Mickle,	

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NAYS.

Mr. Chipman,	Mr. Howell,	Mr. Scott,
Mr. Crary,	Mr. Littlejohn,	Mr. Stuart,
Mr. Fessenden,	Mr. Norvell,	Mr. Woodbury,
Mr. Hanscom,	Mr. Preston,	

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Mr. Annable moved to re-committ the bill to the committee on the judiciary, which motion was lost.

Mr. Bush moved to indefinitely postpone the enacting clause, which motion prevailed.

MESSAGES FROM THE SENATE.

The following messages were announced from the Senate :

SENATE CHAMBER,
Saturday, January 15, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House, the bill to repeal the suspension act, and to inform the House that the Senate have receded from their amendment to the second section,

and have concurred in the House amendment to the fifth section of said bill ; also, to transmit "A bill to abolish the office of state printer, and for other purposes," which has passed the Senate, and in which the concurrence of the House is respectfully requested.

S. YORKE AT LEE,

Secretary of the Senate.

And the bill to repeal the suspension act, &c., was ordered to be enrolled ; and the "Bill to abolish the office of state printer, and for other purposes," was referred to the committee on printing.

SENATE CHAMBER,
Saturday, January 15, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate, to transmit "A joint resolution relative to the payment of postages," &c., which has been adopted by the Senate, and in which the concurrence of the House is respectfully asked.

S. YORKE AT LEE,

Secretary of the Senate.

And the joint resolution from the Senate relative to the payment of postages, &c., was referred to the committee on ways and means.

SENATE CHAMBER,
Saturday, January 15, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the Senate bill to provide for the payment of members and officers of the present legislature, and to inform the House that the Senate have concurred in the amendments of the House, with the exception of so much of the amendment to the second section, as relates to the per diem allowance to the President of the Senate and the Speaker of House, in which they have non-concurred.

Also, to transmit to the House "A joint resolution relative to a final settlement with the bank of Gibraltar," which has been adopted by the Senate, and in which the concurrence of the House is respectfully requested.

S. YORKE AT LEE,

Secretary of the Senate.

- And the bill to provide for the payment of members and officers of the present legislature, being under consideration,

On motion of Mr. Goodwin, it was

Resolved, That the House do insist upon their amendment to the second section, as relates to the per diem allowance to the President of the Senate and Speaker of the House.

And the joint resolution from the Senate, relative to a final settlement with the bank of Gibraltar, was referred to the committee on ways and means.

SENATE CHAMBER,
Saturday, January 15, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House the joint resolution prohibiting new contracts on public works, and respectfully inform that the Senate have concurred in the amendments made thereto by the House, with an amendment, in which the concurrence of the House is respectfully asked.

S. YORKE AT LEE,
Secretary of the Senate.

And the House concurred in the amendment of the Senate to the resolution prohibiting new contracts on public works."

On motion of Mr. Lamb,

The House adjourned to Monday morning, at nine o'clock.

Monday, January 17, 1842.

The House met pursuant to adjournment.

The members were present, except Messrs. Arnold, Hewitt and Humphrey, on leave, and Messrs. Axford and Dexter.

Prayer by the Rev. A. M. Fitch.

The journal of Saturday was read and approved.

Mr. Bennett asked for and obtained leave of absence for Mr. Dexter, on account of indisposition.

Mr. Livermore for Mr. Axford till to-morrow, and further absence for Mr. Arnold until to-morrow.

PETITIONS.

By Mr. Fessenden. Of D. M. Price and others, inhabitants of Macomb county, praying for the repeal of the two-thirds law. Referred to the committee on the judiciary.

By Mr. White. Of inhabitants of Jackson county, respecting the elective franchise. Referred to the committee on the judiciary.

By Mr. White. Of inhabitants of Jackson county, respecting the right of trial by jury. Referred to the committee on the judiciary.

By Mr. Bennett. Of James Y. Alexander and others, praying for the enactment of a law, which secures a jury trial to persons claimed as fugitives from service, &c. Referred to the committee on the judiciary.

By Mr. Bush. Of the treasurer of Livingston county, in relation to the title of lands sold for taxes. Referred to the select committee on taxes.

By Mr. Bennett. Of James Y. Alexander and others, praying for an amendment to the constitution, and for other purposes. Referred to the committee on elections.

By Mr. Lewis. Of one hundred and ten inhabitants of the townships of Brownstown and Monguagon, for the enlargement of the town of Monguagon. Referred to the committee on towns and counties.

REPORTS.

Mr. Howell, from the committee on federal relations, to whom was referred the resolution to inquire into the expediency of making a proposition to congress, to grant absolutely to the state the salt springs and lands adjoining the same, heretofore granted for the use of the state, reported :

That they have had the subject matter of said resolution under consideration, and arrived at the unanimous conclusion, that the act of congress of 23d June, 1836, under which said lands are granted, so far from conveying the fee, expressly limits the use, and the terms of the limitation are such as to render the grant of comparatively little interest or importance to the state of Michigan.

The fourth subdivision of the first section of the above recited act, grants to the state, for its use, all salt springs within the state, not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, to be selected by the legislature, on or before the first day of January, A. D. 1840, "to be used on such terms, conditions and regulations, as the legislature of the said state shall direct."

Were the law thus defined and unrestricted, your committee would have no hesitancy in venturing the opinion that the interest of the state would not require any alteration or extension of the grant, for they believe a grant thus made without limitation or restriction, except as to its use, and containing no reservation or forfeiture, could not be construed by any just application of the law of uses and trusts, to empower the grantor to determine the use. But your committee do not find this to be the case as it regards the lands in question ; on the contrary, the same subdivision of the first section of the act above referred to, provides "that the general assembly shall never sell or lease the same, at any one time, for a longer period than ten years, without the consent of congress."

By the second section of the act of congress, of June 15th, 1836, admitting Michigan into the Union, it is expressly declared, that such admission shall be "upon an equal footing with the original states, in all respects whatsoever."

As limited grants of salt springs and lands contiguous thereto, were subsequently granted to the states absolutely, as in the cases of the states of Missouri and Illinois, which absolute grants were prior to the admission of Michigan into the Union, your committee are decidedly of opinion, that the rights and interests of Michigan require, and the faith of the federal government is virtually pledged, by the terms of the last mentioned act, to make an absolute and unreserved cession of the said salt springs and lands to the state.

Aside from the foregoing reasons, the sovereignty of the state would seem to require that her internal resources and political policy should be under her absolute and exclusive control, and if under any contingency, a community of interests should exist, to any property within her jurisdiction, the interests of each party should be clearly expressed and understood, and the line of demarcation between the powers of the general government and the sovereignty of the state distinctly defined.

The state having expended considerable sums of money in the location of said lands, and the preparatory steps to bring into requisition their usefulness, are of the unanimous opinion, that the interests of the state would be best subserved, whilst those of the general go-

vernment would not be injured, by an absolute cession of the springs and lands in question, to the state.

Your committee therefore respectfully recommend the passage of the following joint resolution :

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed, and our representative be requested to make a proposition to congress to grant absolutely to the state the salt springs and the lands adjoining, granted for the use of the state by the act of congress of the 23d of June, 1836.

Resolved, That the secretary of state be requested to transmit a copy of the foregoing to each of our senators and representative in congress.

Which report and resolutions lay upon the table.

Mr. Fessenden, from the committee on education, to whom was referred the petition of the trustees of the Wesleyan seminary at Albion, praying the loan of a certain sum of money from the university and school fund, reported "A bill to authorize the to loan a sum of money to the trustees of the Wesleyan seminary, at Albion, in the county of Calhoun ;" which was referred to the committee of the whole.

Mr. Bush, from the committee on banks and incorporations, to whom was referred the petition of sundry inhabitants of the city of Detroit, for an act of incorporation for the benefit of the members and persons belonging to St. Paul's church, reported "A bill to incorporate the rector, wardens and vestrymen of St. Paul's church, in the city of Detroit."

Mr. Bennett, pursuant to leave, introduced "A bill to abolish the office of county commissioner and for other purposes," which was referred to the select committee on taxes.

Mr. Bennett, also, pursuant to leave, introduced "A bill to amend the revised statutes in relation to highway taxes, and for other purposes," which was referred to the select committee on taxes.

RESOLUTIONS.

On motion of Mr. Wing,

Resolved, That the committee on roads and bridges, be instructed to inquire into the expediency of so amending the existing laws on

that subject, as to simplify and render less expensive the method of laying out and establishing public roads and highways.

On motion of Mr. Wing,

Resolved, That the committee on the judiciary be instructed to inquire into the condition of the assets received of the state bank, and ascertain whether any legislation is necessary in order to secure the collection of the claim, and to report a bill accordingly.

On motion of Mr. Wendell,

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of abolishing the repetition of oaths required of overseers of Highways, while acting under their oaths of office, and report by bill or otherwise.

Mr. Gunning offered the following resolution, which was lost :

Resolved. That the bank of Michigan be requested to report the compensation allowed to each of the officers of said bank, also, the contingent expenses of said bank since the passage of the last suspension act, in 1841.

On motion of Mr. Turner,

Resolved, That the committee on the judiciary be requested to inquire into the expediency of repealing or amending the sixth section of an act to prescribe the powers and duties of justices of the peace in civil cases, approved April 9th, 1841.

On motion of Mr. Chipman, amended by Mr. Little,

Resolved, That Samuel Ashmun and Joel L. Ankrum, claimants of a seat in this House as a representative from the county of Chippewa, and having been refused a seat, receive pay as a member for coming to this House and returning home, and per diem pay until the settlement of the question, to be paid out of any money appropriated to the pay of members.

On motion of Mr. Bush,

Resolved, That the acting commissioner of internal improvement be requested to communicate to this House, a statement containing all the deeds or conveyances for right of way on the Central railroad, granted to the Detroit and St. Joseph railroad company, the date of the conveyance, and by whom granted.

UNFINISHED BUSINESS.

The Speaker announced the "Bill to authorize John Mullett to

erect a dam across Red Cedar river ;” and the same being under consideration, was, on motion of Mr. Howell, read the third time, passed, and transmitted to the Senate.

The House then took up the “Bill to amend an act entitled ‘An act to prescribe the powers and duties of justices of the peace in civil proceedings,’ ” approved April 9, 1841.

Mr. Dort offered the following resolution, which was lost :

Resolved, That the bill be referred back to the judiciary committee, and that they report the following amendments to the justices act, viz : repeal so much of said act as requires a witness’ fees to be paid or tendered for one day’s attendance, before he can be compelled to attend as a witness, and definitely specify what the powers and duties of justices of the peace are in cases of replevin.

Mr. Bush proposed the following, to come in as section in said bill :

“Section six of the justices act is hereby repealed, and acts or parts of acts that shall prescribe the rights of a citizen to hold office on account of his profession or occupation, are hereby repealed.”

Mr. Chipman offered the following amendment :

Sec. That no person, being an innkeeper, licensed to sell ardent spirits or fermented liquors, shall hold the office of justice of the peace ; nor shall any person becoming an innkeeper, licensed as aforesaid, after he shall be elected to the office of justice of the peace, exercise the functions of such office, but the same shall thereby become vacated.

Mr. Lothrop offered the following substitute :

And it shall not be lawful for any justice of the peace to sell or deal in spiritous liquors ; and any justice of the peace who shall violate the provisions of this section, shall, upon conviction thereof before any court having competent jurisdiction, be fined at the discretion of the court.

And the yeas and nays being called for by Mr. Norvell, the same was rejected, by the following vote :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Babcock,

Mr. Hawley,
Mr. Howell,
Mr. Lamb,

Mr. Mickle,
Mr. Rice,
Mr. Stuart,

Mr. Bennett,	Mr. Little,	Mr. White,	
Mr. Fessenden,	Mr. Livermore,	Mr. Woodbury,	15

NAYS.

Mr. Ball,	Mr. Hanscom,	Mr. Scott,	
Mr. Berry,	Mr. Hathaway,	Mr. Sheldon,	
Mr. Blair,	Mr. King,	Mr. Smith,	
Mr. Bush,	Mr. Lewis,	Mr. Turner,	
Mr. Chipman,	Mr. Littlejohn,	Mr. Videtto,	
Mr. Crary,	Mr. Lothrop,	Mr. Walker,	
Mr. Dort,	Mr. Magoon,	Mr. Wendell,	
Mr. French,	Mr. Norvell,	Mr. Wilson,	
Mr. Goodwin,	Mr. Preston,	Mr. Wing,	
Mr. Gunning,	Mr. Sanborn,	Mr. Speaker,	30

On motion of Mr. Annable, the following was adopted in place of section six :

“That no justice of the peace shall hold a court in any inn, tavern, victualling shop, or other place where spiritous or intoxicating liquors are sold.”

Mr. Lothrop moved to add the following to said section :

“Nor shall any innkeeper, tavernkeeper, or common victualler, in fact, be eligible to the office of justice of the peace.”

Mr. Norvell calling for the yeas and nays, the motion was lost, by the following vote :

YEAS.

Mr. Fessenden,	Mr. Lamb,	Mr. Lothrop,	
Mr. Hawley,	Mr. Little,	Mr. Mickle,	
Mr. Howell,	Mr. Livermore,	Mr. Woodbury,	9

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Scott,	
Mr. Annable,	Mr. Gunning,	Mr. Sheldon,	
Mr. Babcock,	Mr. Hanscom,	Mr. Stuart,	
Mr. Ball,	Mr. Hathaway,	Mr. Smith,	
Mr. Bennett,	Mr. King,	Mr. Turner,	
Mr. Berry,	Mr. Lewis,	Mr. Videtto,	
Mr. Blair,	Mr. Littlejohn,	Mr. Walker,	
Mr. Bush,	Mr. Magoon,	Mr. Wendell,	
Mr. Chipman,	Mr. Norvell,	Mr. White,	
Mr. Cooper,	Mr. Preston,	Mr. Wilson,	
Mr. Crary,	Mr. Rice,	Mr. Wing,	
Mr. Dort,	Mr. Sanborn,	Mr. Speaker,	
Mr. French,			37

The question then recurring on the amendment of Mr. Bush, striking out the sixth section, the same was adopted, by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Sanborn,
Mr. Annable,	Mr. Gunning	Mr. Scott,
Mr. Babcock,	Mr. King,	Mr. Smith,
Mr. Ball,	Mr. Lewis,	Mr. Turner,
Mr. Berry,	Mr. Littlejohn,	Mr. Walker,
Mr. Blair,	Mr. Lothrop,	Mr. Wendell,
Mr. Bush,	Mr. Magoon,	Mr. Wilson,
Mr. Dort,	Mr. Norvell,	Mr. Wing,
Mr. French,	Mr. Preston,	Mr. Speaker,

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NAYS.

Mr. Bennett,	Mr. Hathaway,	Mr. Rice,
Mr. Chipman,	Mr. Howell,	Mr. Sheldon,
Mr. Cooper,	Mr. Humphrey,	Mr. Stuart,
Mr. Crary,	Mr. Little,	Mr. Videtto,
Mr. Fessenden,	Mr. Livermore,	Mr. White,
Mr. Hanscom,	Mr. Mickle,	Mr. Woodbury,

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The final question being then taken on the amendment, as amended, the same was adopted, as follows :

YEAS.

Mr. Anderson,	Mr. Hathaway,	Mr. Rice,
Mr. Annable,	Mr. Hawley,	Mr. Sanborn,
Mr. Babcock,	Mr. Howell,	Mr. Scott,
Mr. Ball,	Mr. King,	Mr. Sheldon,
Mr. Bennett,	Mr. Lamb,	Mr. Stuart,
Mr. Berry,	Mr. Lewis,	Mr. Smith,
Mr. Blair,	Mr. Little,	Mr. Turner,
Mr. Chipman,	Mr. Littlejohn,	Mr. Videtto,
Mr. Cooper,	Mr. Livermore,	Mr. Wendell,
Mr. Crary,	Mr. Lothrop,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Wilson,
Mr. Fessenden,	Mr. Mickle,	Mr. Wing,
Mr. Goodwin,	Mr. Norvell,	Mr. Woodbury,
Mr. Gunning,	Mr. Preston,	Mr. Speaker,
Mr. Hanscom,		

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NAYS.

Mr. Bush,	Mr. French,	Mr. Walker,
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Mr. Dort offered the following amendment, which was lost :

Sec. So much of section forty-nine, as requires the fees to be paid or tendered to a witness, for one day's attendance, before he can be compelled to attend as a witness, is hereby repealed.

Mr. Goodwin proposed to add the following section :

Sec. The following part of section seventy-four of said act, is hereby repealed, viz : " Unless the plaintiff, or some one in his be-

half, shall, at or after the time of rendering the judgment, make and file with the justice a like affidavit as is required for issuing a warrant under the provisions of this act."

And whilst the same was under consideration, on motion of Mr. Norvell the bill was laid upon the table.

MESSAGES.

The following special message from the Governor, was received by the hands of his private secretary :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following act, viz : "An act to repeal the suspension act, passed April 12, 1841, and for other purposes."

JOHN S. BARRY.

Executive Office, January 17, 1842.

The following messages from the Senate were announced :

SENATE CHAMBER,
Monday, January 17, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to you "A bill to legalize the election and the acts of the directors of the Kalamazoo mutual insurance company," which has passed the Senate, and in which the concurrence of the House is respectfully requested.

Also, a joint resolution in relation to state bonds, which has been adopted by the Senate, and in which the concurrence of the House is respectfully asked.

S. YORKE AT LEE,
Secretary of the Senate.

And the bill to legalize the election and the acts of the directors of the Kalamazoo mutual insurance company, was, on motion of Mr. Stuart, the rule being suspended, referred to the committee of the whole.

And the joint resolution in relation to state bonds, on motion of Mr. Norvell, to the committee on the judiciary.

SENATE CHAMBER,
Monday, January 17, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to inform the House of Representatives, that the Senate have appointed Senators Hewitt, Wixom, and Bell, a committee of conference in relation to the amendment insisted on by the House, to the bill to provide for the payment of the members and officers of the present legislature.

Also, to return the House bill to accept a certain grant of land made by the United States to the state of Michigan, &c., which they have passed with an amendment to the second section, in which they respectfully ask the concurrence of the House.

Also, to transmit "A bill authorizing the purchase of land, to be attached to county poor house," which has passed the Senate, and in which the concurrence of the House is respectfully requested.

Also, to return the Senate bill relative to the public printing, and to inform the House that the Senate have non-concurred in the House amendment, with the exception of that part thereof which requires the giving of security for the faithful execution of all the work therein specified.

S. YORKE AT LEE,
Secretary of the Senate.

On motion of Mr. Norvell,

The Speaker announced as the committee of conference, on the part of the House, on the amendment insisted on by the House, to the bill to provide for the payment of the members and officers of the present legislature, Messrs. Norvell, Lothrop and Little.

And the House having under consideration the bill to accept a certain grant of land, made by the United States to the state of Michigan, non-concurred in the amendment of the Senate thereto.

And the bill from the Senate, authorizing the purchase of land to be attached to the county poor house, was, on motion of Mr. Crary, referred to the committee on towns and counties.

The House having under consideration the bill relative to the public printing, receded from their amendment non-concurred in by the Senate, and the bill was passed.

On motion of Mr. Wilson,

The House adjourned till to-morrow morning, nine o'clock,

Tuesday, January 18, 1842.

The House met pursuant to adjournment.

The members were all present.

Prayer by the Rev. Mr. Fitch.

PETITIONS.

By Mr. Howell. Two several petitions of inhabitants of Hillsdale county, praying a repeal of the statutes in relation to the practice of physic and surgery. Referred to the select committee on physic and surgery.

By Mr. Dexter. Remonstrance against the division of a certain township in the county of Ottawa. Referred to the committee on towns and counties.

By Mr. Dexter. Petition of certain inhabitants of the county of Ottawa, asking that the centre of Grand river be made the division line of the townships adjacent to it, in the county of Ottawa. Referred to the committee on towns and counties.

By Mr. Littlejohn. Against the organization of a township in Barry county. Referred to the committee on towns and counties.

By Mr. Fessenden. Claim of C. W. Chapel of the Clinton canal. Referred to the committee on claims.

By Mr. Humphrey. Claim of N. Kendall and others. Referred to the committee on claims.

By Mr. Woodbury. Of inhabitants of Lenawee county, asking for the passage of a law to confirm the titles to lands sold by the county treasurer for taxes. Referred to the judiciary committee.

By Mr. Dexter. Of the county commissioners of Ottawa county, praying the passage of an act to legalize a proposed sale of lands in said county. Referred to the judiciary committee.

By Mr. Crary. Of twenty-eight citizens of the county of Calhoun, for a state road from Dexter, by Duck lake, to Marshall. Referred to the committee on roads and bridges.

By Mr. Bennett. Of Joseph McKnight, a settler upon university lands, asking for relief. Referred to the committee on university and school lands.

By Mr. Bennett. Of F. F. Perkins, praying for relief on a certain contract for the purchase of certain school lands therein named. Referred to the committee on University and school lands.

By Mr. Stuart. Of one hundred and ten citizens of the county of Kalamazoo, asking for an abatement of the contract price of university and school lands heretofore sold. Referred to the committee on university and school lands.

By Mr. Littlejohn. Of one hundred and twenty-two inhabitants of the county of Allegan, to abolish the office of county commissioners, and transfer their duties to supervisors. Referred to the select committee on taxation.

By Mr. Smith. Of inhabitants of the county of Genesee, relative to treasurer's deeds. Referred to the select committee on taxation.

By Mr. Berry. Of inhabitants of Branch county, for the removal of the county seat of said county. Referred to the select committee on that subject.

REPORTS.

Mr. Norvell, from the committee on ways and means, to whom was referred the joint resolution from the Senate, relative to the payment of postage, &c., reported the same back without amendment, and the resolution was concurred in and returned to the Senate.

Mr. Norvell, from the same committee, to whom was referred a resolution of the House, instructing them to inquire into the expediency of prohibiting the re-issue of state scrip, which may have been, or may be redeemed at the treasury, made a report thereon, and concluded by introducing "A bill to prohibit the issue of treasury notes, and for other purposes;" which bill, with the report, was laid upon the table and ordered printed.

Mr. Livermore, to whom was referred the claim of Emery Beal, made a report thereon, and the committee were discharged from further consideration of the subject.

Mr. Dort, from the committee on printing, to whom was referred "A bill to abolish the office of state printer," and Senate "Bill to abolish the office of state printer, and for other purposes," reported the latter back to the House, without amendment, as a substitute for the former, and recommended its passage; and the said bill was referred to the committee of the whole.

RESOLUTIONS.

On motion of Mr. Dexter,

Resolved, That the committee on the judiciary be instructed to ex-

amine the laws of this state, and report, at their earliest convenience, what alteration or revision is necessary for the action of the legislature.

On motion of Mr. Fessenden,

Resolved, That the committee on internal improvement be instructed to inquire and report to the House, what further legislation is necessary in order to adjust and settle claims against the state, arising from damages to property upon the works of internal improvement.

On motion of Mr. Humphrey,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of granting to the circuit courts the power of forfeiting charters, for infractions thereof, by having the facts investigated by the grand jury, and presented by them to the court in the form of a presentment, so that the case may be tried by the petit jury, and if they find the facts to be true, then the court to decide whether the facts found prove an infraction of the charter, and if so, to declare its forfeiture.

NOTICES.

Mr. Bush gave notice that he should to-morrow ask leave to introduce a bill making provision for the payment of claims against the state, held by Emery Beal.

UNFINISHED BUSINESS.

The Speaker announced the "Bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841," which being under consideration,

Mr. Littlejohn proposed that the bill, with the amendments now under consideration, be re-committed to the judiciary committee, and that all amendments to the justices act, be proposed by members previous to the 27th instant, and referred to said committee, to the end that all other amendments to said act may be incorporated in one bill.

Mr. Chipman moved an indefinite postponement of the subject, which motion was lost.

The question recurring on the motion of Mr. Littlejohn, the same was adopted.

The joint resolution of Mr. Little, on the subject of the state stocks and the payment of interest on the bonds of the state, being under consideration,

Mr. Goodwin offered the following as a substitute for all after the first paragraph of the preamble :

And whereas, the bonds of the state of Michigan have hitherto been delivered to the Morris canal and banking company and the bank of the United States, to the amount of several millions of dollars, in order to raise money for internal improvement purposes ;

And whereas, The failure of said companies to pay the state for said bonds, will leave the state, for a time, without the means of paying the accruing interest on the same ;

And whereas, Good faith requires every state to act justly in the exertion of its sovereignty, and in the payment of its debts ; therefore, be it

Resolved by the Senate and House of Representatives of the State of Michigan, That this state will not resort to its sovereign power in order to avoid the payment of any of its just and honest debts, nor will it submit to injustice, and impose increased taxation upon the people, in order to pay interest on bonds not paid by the holders ; and be it further

Resolved, That this state has been greatly injured by the failure of the Morris canal and banking company and bank of the United States, to pay the money due for the bonds aforesaid,

First. That the interest on said bonds, by existing agreements, should be paid by said banks, until the bonds are fully paid for ; by their failure to pay the same, the integrity of the state is called in question.

Secondly. Great expenditures have been made upon our works of internal improvement, which are left comparatively unproductive on account of such failure.

Thirdly. This state, by reason of such failure, is deprived of a permanent income for the payment of interest on the loan, as well as the ultimate payment of the loan itself.

On motion of Mr. Norvell, the preamble and resolutions, with the substitute, was referred to the committee on ways and means.

The "Bill to authorize the superintendent of public instruction to

rectify certain errors in regard to the sale of school lands to Thomas K. Green, and to do certain acts incident thereto," was taken up, ordered engrossed, and on motion of Mr. Crary, received its third reading, passed, and was transmitted to the Senate.

On motion of Mr. Bush,

The joint resolution in relation to the amendment of the constitution, was taken up in committee of the whole, Mr. Crary in the chair, and, after some time, reported the same back to the House with an amendment, to insert after the word "money," the words, "for defraying the ordinary expenses of the government," which the House refused to concur in, by the following vote :

YEAS.

Mr. Anderson,	Mr. Hawley,	Mr. Preston,
Mr. Annable,	Mr. Hewitt,	Mr. Sheldon,
Mr. Berry,	Mr. Humphrey,	Mr. Stuart,
Mr. Chipman,	Mr. King,	Mr. Turner,
Mr. Crary,	Mr. Little,	Mr. Walker,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,
Mr. Hathaway,	Mr. Norvell,	

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NAYS.

Mr. Arnold,	Mr. French,	Mr. Sanborn,
Mr. Axford,	Mr. Goodwin,	Mr. Scott,
Mr. Babcock,	Mr. Gunning,	Mr. Smith,
Mr. Ball,	Mr. Howell,	Mr. Videtto,
Mr. Blair,	Mr. Lamb,	Mr. Wendell,
Mr. Bush,	Mr. Lewis,	Mr. White,
Mr. Cooper,	Mr. Mickle,	Mr. Wing,
Mr. Dort,	Mr. Rice,	Mr. Speaker,

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Mr. Gunning offered the following amendment, which was lost :

And be it further resolved, That the fourth section of the fourth article of the constitution be amended, by abolishing the words "and on the following day," after the word "November," in the second line.

Mr. Chipman moved the following amendment, which was lost :

Resolved, That the fourth section of the fourth article of the constitution, be so amended as to read—"The representatives shall be chosen annually on the first Monday of November, by the electors of the several counties or districts into which the state shall be divided for that purpose."

The question then being on the adoption of the resolution, the vote being taken by yeas and nays, stood as follows :

YEAS.

Mr. Arnold,	Mr. Hathaway,	Mr. Scott,
Mr. Babcock,	Mr. Hewitt,	Mr. Sheldon,
Mr. Ball,	Mr. Howell,	Mr. Smith,
Mr. Berry,	Mr. Lamb,	Mr. Turner,
Mr. Blair,	Mr. Lewis,	Mr. Videtto,
Mr. Bush,	Mr. Little,	Mr. Walker,
Mr. Cooper,	Mr. Mickle,	Mr. Wendell,
Mr. Dort,	Mr. Norvell,	Mr. White,
Mr. Fessenden,	Mr. Preston,	Mr. Wilson,
Mr. French,	Mr. Rice,	Mr. Wing,
Mr. Goodwin,	Mr. Sanborn,	Mr. Speaker,
Mr. Gunning,		

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NAYS.

Mr. Anderson,	Mr. Crary,	Mr. Livermore,
Mr. Annable,	Mr. Dexter,	Mr. Magoon,
Mr. Axford,	Mr. Hawley,	Mr. Stuart,
Mr. Bennett,	Mr. Humphrey,	Mr. Woodbury,
Mr. Chipman,	Mr. Littlejohn,	

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And the resolution was transmitted to the Senate.

COMMITTEE OF THE WHOLE.

On motion of Mr. Crary,

The House resolved itself into committee of the whole on the general order, Mr. Bush in the chair, and after some time spent thereon, the committee rose and reported the following bill : " A bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments of writing," with an amendment, which was concurred in by the House and the bill ordered to be engrossed.

The bill relative to chancery orders and notices, without amendment ; which bill was read a third time and passed, the title, on motion of Mr. Stuart, being amended to read, " A bill relative to the publication of legal orders and notices."

The committee of the whole were discharged from the further consideration of the act for the security of persons depositing wheat at mills for flouring, against loss, and to punish fraudulent millers, and the same was referred to the committee on the judiciary.

On motion of Mr. Norvell,

The committee of the whole were discharged from the bill ex-

empting certain property from execution, and the same was ordered printed and made the special order for Monday next.

The following message was announced from the Senate:

SENATE CHAMBER,
Tuesday, January 18, 1842. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit to the House "A bill defining the powers of the judges of the supreme court in certain cases," and respectfully inform you that the same has passed the Senate, and that the concurrence of the House of Representatives is respectfully asked therein.

I am instructed, also, to inform you that the Senate has receded from their amendment to the amendment made by the House, to the bill to accept a certain grant of land, made by the United States to the state of Michigan, &c., and passed the same.

S. YORKE AT LEE,
Secretary of the Senate.

And the bill defining the powers of the judges of the supreme court in certain cases, was referred to the committee on the judiciary.

The bill to accept a certain grant of land, made by the United States to the state of Michigan, was ordered to be enrolled.

On motion of Mr. Walker,

The House adjourned till to-morrow morning, at nine o'clock.

Wednesday, January 19, 1842.

The House met pursuant to adjournment.

The members were present except Mr. Hanscom.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and corrected.

Mr. Livermore asked for and obtained leave of absence for Mr. Hanscom until Saturday.

PETITIONS.

By Mr. Howell. Of inhabitants of Hillsdale county, praying for the passage of a law to prohibit the circulation of bank notes of other states not redeemable in specie. Referred to the committee on banks and incorporations.

By Mr. Axford. Claim of C. W. Millard for work done on the Clinton and Kalamazoo Canal. Referred to the committee on claims.

By Mr. Howell. Of inhabitants of Hillsdale county praying for a reduction of the price of sold school lands. Referred to the committee on university and school lands.

By Mr. Smith. Of two hundred inhabitants of Genesee county, on the subject of treasurer's tax deeds. Referred to the committee on taxation.

By Mr. Axford. Of one hundred and forty citizens of Oakland county, praying for the abolition of the office of county commissioner. Referred to the committee on taxation.

By Mr. Lothrop. Claim of G. B. Cooper against the state. Referred to the committee on claims.

By Mr. Cooper. Claim of John McCabe, for labor done on state prison. Referred to the committee on claims.

By Mr. Cooper. Of James Ward for pay for labor done on the state prison. Referred to the committee on claims.

By Mr. Norvell. Of E. B. Harrington for relief. Referred to the committee on the judiciary.

By Mr. Crary. Of David L. Johns and others, for confirmation of the will of Joseph Salato. Referred to the committee on the judiciary.

By Mr. Humphrey. Of J. J. Godfroy and others, asking for an extension of the time for the payment of taxes. Referred to the committee on ways and means.

By Mr. Videtto. Remonstrance of inhabitants of the town of Leoni, against a division of said town.

By Mr. White. Of inhabitants of Washtenaw, asking the passage of a law to prevent dogs from running at large. Referred to the committee on agriculture and manufactures.

By Mr. Wing. The petition, preamble and proposition of Wales and Williams, for leasing the Central railroad. Referred to the committee on internal improvement.

By Mr. Sanborn. Of inhabitants of St. Clair, praying for the removal of the county seat. Referred to a select committee of five.

REPORTS.

Mr. Chipman, from the committee on elections, to whom was re-

ferred the petition of M. Bacon and others, to amend the constitution of the state by expunging from the second article thereof, the word "white," and thus secure to all the citizens of this state, irrespective of color, equal political rights, and asking that they may be heard by counsel, reported that the committee were of opinion that the word "white," in said second article of the constitution, was wisely adopted, and should not be expunged, and that they could not for a moment hesitate upon the expediency of reporting adversely to the prayer of said petitioners; and asking leave to be discharged from any further consideration of the subject. The report was accepted accordingly, and the committee discharged.

Mr. Chipman, from the same committee, to whom had been referred the petition of J. B. Tompkins and others, and also two several resolutions asking and instructing them to inquire into the expediency of so amending the fourth section of the fourth article of the constitution, as to allow the representatives of the legislature to be chosen the first Monday of November annually, made a report thereon, concluding with the following resolutions :

Resolved by the Senate and House of Representatives of the State of Michigan, That the fourth section of the fourth article of the constitution of this state be so amended as to substitute the following therefor : "The representatives shall be chosen annually on the first Monday of November, by the electors of the several counties or districts into which the state shall be divided for that purpose." Further,

Resolved by the Senate and House of Representatives of the State of Michigan, That the foregoing proposed amendment of the constitution be entered on the respective journals of the Senate and House, and referred to the next legislature of this state, and that the same be published as required by the constitutions.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to accept a certain quantity of land, made by the United States to the state of Michigan, and to authorize the Governor to cause the same to be located."

Mr. Howell, from the committee on the judiciary, reported "A bill to amend part second, title fourth, chapter third of the revised

statutes ;" which was referred to the committee of the whole, and, on motion of Mr. Norvell, made the special order for Thursday next.

The report of the commissioner of internal improvement, in compliance with the resolution of the House of the 13th instant, was received, ordered to be printed, and referred to the committee on internal improvement.

Mr. Goodwin, from the committee on banks and incorporations, made a report, accompanied by "A bill to repeal the charters of certain banks and for other purposes ;" which were laid on the table and ordered printed.

Mr. Videtto, from the committee on roads and bridges, to whom was referred the petition of sundry citizens of Calhoun county, asking the passage of a law authorizing commissioners to lay out a state road, reported adverse to the prayer of the petitioners, and were discharged from the further consideration of the subject.

Mr. Stuart, from the committee on the judiciary, to whom was referred a resolution of the House, in relation to the settlement with the Michigan state bank, made a report, which was laid upon the table and ordered printed.

Mr. Little, from the committee on towns and counties, to whom was referred the petition of citizens of Branch county, for the organization of a separate township in said county, reported adverse to the prayer of the petitioners, and were discharged from the further consideration of the subject.

Mr. Cooper, from the committee on state prison, asked the discharge of the committee from the further consideration of the claim of Amos Bigelow, and that the same be referred to the committee on claims. Referred accordingly.

Mr. Bush, pursuant to notice of yesterday, asked leave to introduce "A bill for the relief of Emery Beal," and on leave being denied,

On motion of Mr. Lothrop, the report of the committee on claims, of yesterday, on the petition of Emery Beal, was referred back to said committee, with instructions.

RESOLUTIONS.

Mr. Livermore offered the following resolution, which was rejected :

Resolved, That the attorney general be directed to furnish to this House, with as little delay as possible, his opinion relative to a claim which the state is supposed to have for a railroad car, which was, by writ of replevin, taken from the possession of the officers of the state, on or about the 20th day of November, 1837; whether the state has a legal claim for pay for said car, and against whom; and that on making up such opinion, he be permitted to have access to such papers as are in the hands of the committee on claims, or any of the state officers, relative to the subject.

Mr. Chipman laid the following joint resolution upon the table:

Resolved by the Senate and House of Representatives of the State of Michigan, That the present legislature adjourn, *sine die*, on the third Tuesday of February next.

Mr. Fessenden offered the following resolution, which, on motion of Mr. Howell, was laid upon the table:

Resolved, That the committee on education be instructed to report a revision of the law regulating primary schools, and to incorporate in said revision, a system of taxation by townships, for the support of schools, in an amount not less than the sum received from the school fund.

On motion of Mr. Goodwin,

Resolved, That the following statement of the commissioner of internal improvement, be referred to the committee on internal improvement:

“Causes are not unfrequently occurring, many of which are now on the line of our public works, where the property through which the railroad passes, is owned by minors, and it would save much expense and delay, if a law was passed authorizing executors, administrators and guardians, to convey to the state such right of way, for public purposes; the assent of the judge of probate of the county in which such land is situate, indorsed on such deed.”

NOTICES.

Mr. King gave notice that at some future day, he will ask leave to introduce a bill to amend an act entitled “An act for incorporating the borough of Michilimackinac.”

Mr. Turner gave notice that he will ask leave to introduce a bill at an early day for the relief of George Campeau.

Mr. Lamb gave notice that at a future day he will ask leave to introduce a bill for the relief of W. H. Griswold and Moses Sutherland.

UNFINISHED BUSINESS.

The Speaker announced the "Bill to authorize the appointment of commissioners to take the acknowledgment of deeds and other instruments of writing," which was read the third time, passed, and was transmitted to the Senate.

COMMITTEE OF THE WHOLE.

On motion of Mr. Howell, the House resolved itself into committee of the whole on the general order, Mr. Livermore in the chair.

After some time spent thereon, the committee rose and reported back to the House, without amendment, the resolution from the Senate, as amended by the committee on federal relations, on the subject of instruction relative to the general bankrupt law, which, on motion of Mr. Chipman, was laid on the table and ordered printed.

Also, reported back to the House, the "Bill to legalize the election of directors of the Kalamazoo mutual insurance company," without amendment, which bill being under consideration, and the question being taken on ordering the same to be engrossed, the same was lost

On motion of Mr. Bush, the House adjourned until to-morrow morning at nine o'clock.

Thursday, January 20, 1842.

The House met pursuant to adjournment.

The members were present, except Mr. Hanscom, on leave, and Messrs. Fessenden and Howell.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday read and corrected.

Mr. Norvell asked for and obtained leave of absence for Mr. Fessenden until Saturday, and Mr. Cooper for Mr. Howell until Tuesday.

The Speaker announced as the select committee on the subject of the St. Clair county seat, Messrs. Sanborn, Wilson, Axford, Little, and Howell.

PETITIONS.

By Mr. Sanborn. Remonstrance of the people of St. Clair coun-

ty, against the removal of their county seat. Referred to the select committee on that subject.

By Mr. Gunning. Claim of the estate of John Burtis against the state. Referred to the committee on claims.

By Mr. Gunning. Claim of William Wingert and John Greenfield, for repairing one hundred and sixty-eight muskets, by order of Col. Brooks. Referred to the committee on claims.

By Mr. Cooper. Of M. Falcher, for the payment of a claim against the state. Referred to the committee on claims.

By Mr. Anderson. Of sixty-seven inhabitants of Cass county, to abolish the office of township assessors. Referred to the select committee on taxation.

By Mr. Dexter. Of inhabitants of the town of Cass, Ionia county, to change its name. Referred to the committee on towns and counties.

By Mr. Bush. Of inhabitants of Ingham county, praying for the organization of a new township. Referred to the committee on towns and counties.

By Mr. Norvell. Of J. Kearsley, for payment of services rendered. Referred to the committee on claims.

By Mr. Berry. Two several petitions of inhabitants of Branch county, for a reduction of the price of sold university and school lands. Referred to the committee on university and school lands.

By Mr. Preston. Of forty-five citizens of Sherman, St. Joseph county, praying relief to Joel J. Webb. Referred to the committee on ways and means.

By Mr. Videtto. Of citizens of Jackson county, for a reduction of the railroad fare. Referred to the committee on internal improvement.

By Mr. Lothrop. Of certain inhabitants of Kalamazoo county, praying that they be authorized to levy certain taxes for certain school district purposes. Referred to the committee on the judiciary.

By Mr. Dexter. Of inhabitants of the township of Cass, in the county of Ionia, either to legalize the assessment of said town, or authorize a new one to be taken. Referred to the committee on the judiciary.

By Mr. Preston. Of one hundred and forty-three citizens of St.

Joseph county, praying for the repeal of all laws restricting botanic physicians from collecting pay for their services. Referred to the select committee on physic and surgery.

By Mr. Preston. Of seventeen citizens of St. Joseph county, praying the repeal of all laws restricting botanic physicians from collecting pay for their services. Referred to the select committee on physic and surgery.

REPORTS.

Mr. Lothrop, from the select committee on taxation, to whom was referred the bill to abolish the office of county commissioner and for other purposes, reported the same back to the House with an amendment, and the same was referred to the committee of the whole.

Mr. Wing, from the committee on internal improvement, reported a bill entitled "An act making appropriations for the improvement of the state salt springs," which was referred to the committee of the whole and ordered to be printed.

Mr. Wilson, from the joint committee on the subject of the county seat of Branch, reported "A bill to vacate the present seat of justice for the county of Branch, and establish the same at the village of Coldwater," which was referred to the committee of the whole.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to authorize the superintendent of public instruction to rectify certain errors in regard to a sale of school lands to Thomas K. Green, and to do certain other acts incident thereto."

The following messages were announced from the Senate :

SENATE CHAMBER, }
Wednesday, January 19, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the House bill to authorize the superintendent of public instruction to rectify certain errors, &c., and to inform the House that the Senate have duly passed the same.

Also, to transmit to the House "A bill to extend certain provisions of law relative to the alteration of a certain state road," which has passed the Senate, and in which the concurrence of the House is respectfully requested.

Also, to transmit "A bill to amend an act entitled 'an act to amend

an act entitled an act to incorporate the village of Niles,' and the act or acts amendatory thereto," which has passed the Senate, and in which the concurrence of the House is respectfully asked.

S. YORKE AT LEE,

Secretary of the Senate.

And the bill to authorize the superintendent of public instruction to rectify certain errors, &c., was ordered to be enrolled.

The bill to amend an act entitled an act to amend an act entitled an act to incorporate the village of Niles, and the act or acts amendatory thereto, was referred to the committee on banks and incorporations.

And the bill to extend certain provisions of law relative to the alteration of a certain state road, was referred to the committee on roads and bridges.

SENATE CHAMBER,
Thursday, January 20, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to you the House bill to authorize John Mullett to erect a dam, &c., which has duly passed the Senate.

S. YORKE AT LEE,

Secretary of the Senate.

And the said bill was ordered to be enrolled.

RESOLUTIONS.

On motion of Mr. Bush,

Resolved, That the select committee on taxes be instructed to take into consideration the propriety of repealing the law authorizing the collection of specific state taxes.

Mr. Norvell, from the committee on federal relations, laid the following joint resolutions upon the table :

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed, and our representative requested, to vote against the passage of any law to create any bank or money corporations of the United States, or to establish any board of exchequer, with power to discount notes or bills of exchange, or to issue paper as a circulating medium.

Resolved, That our senators in congress be also instructed, and our representative requested to use their best exertions to effect the

repeal of the "Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," except so much of the said act as grants five hundred thousand acres of land to each of the new states for internal improvement, and to relinquish to the states of Mississippi and Alabama two per centum of the proceeds of the sales of the public lands lying within their respective limits, for the purposes therein designated.

Mr. Lamb called up the joint resolution laid upon the table by Mr. Chipman yesterday, as follows :

Resolved by the Senate and House of Representatives of the State of Michigan, That the present legislature adjourn *sine die*, on the third Tuesday of February next.

Mr. Gunning moved to strike out "third Tuesday," and insert "first Tuesday."

Mr. Livermore moved to lay the resolution on the table. Lost by yeas and nays as follows :

YEAS.

Mr. Annable,	Mr. Goodwin,	Mr. Meikle,	
Mr. Axford,	Mr. Hewitt,	Mr. Smith,	
Mr. Babcock,	Mr. Humphrey,	Mr. Walker,	
Mr. Ball,	Mr. King,	Mr. White,	
Mr. Berry,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Cray,	Mr. Livermore,	Mr. Woodbury,	
Mr. Dexter,	Mr. Magoon,		20

NAYS.

Mr. Anderson,	Mr. Hathaway,	Mr. Sanborn,	
Mr. Arnold,	Mr. Hawley,	Mr. Scott,	
Mr. Bennett,	Mr. Lamb,	Mr. Sheldon,	
Mr. Blair,	Mr. Lewis,	Mr. Stuart,	
Mr. Bush,	Mr. Little,	Mr. Turner,	
Mr. Chipman,	Mr. Lothrop,	Mr. Videtto,	
Mr. Cooper,	Mr. Norvell,	Mr. Wendell,	
Mr. Dort,	Mr. Preston,	Mr. Wing,	
Mr. French,	Mr. Rice,	Mr. Speaker,	
Mr. Gunning,			28

The question recurring on Mr. Gunning's motion, the same was lost by yeas and nays, as follows :

YEAS.

Mr. Axford,	Mr. Gunning,	Mr. Lothrop,
Mr. Ball,	Mr. Humphrey,	Mr. Magoon,
Mr. Blair,	Mr. King,	Mr. Scott,

Mr. Crary,	Mr. Lewis,	Mr. Sheldon,	
Mr. Goodwin,	Mr. Livermore,	Mr. Speaker,	15

NAYS.

Mr. Anderson,	Mr. French,	Mr. Sanborn,	
Mr. Annable,	Mr. Hathaway,	Mr. Stuart,	
Mr. Arnold,	Mr. Hawley,	Mr. Smith,	
Mr. Babcock,	Mr. Hewitt,	Mr. Turner,	
Mr. Bennett,	Mr. Lamb,	Mr. Videtto,	
Mr. Berry,	Mr. Little,	Mr. Walker,	
Mr. Bush,	Mr. Littlejohn,	Mr. Wendell,	
Mr. Chipman,	Mr. Mickle,	Mr. White,	
Mr. Cooper,	Mr. Norvell,	Mr. Wilson,	
Mr. Dexter,	Mr. Preston,	Mr. Wing,	
Mr. Dort,	Mr. Rice,	Mr. Woodbury,	33

The resolution was then adopted by the following vote :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Sanborn,	
Mr. Arnold,	Mr. Gunning,	Mr. Scott,	
Mr. Axford,	Mr. Hathaway,	Mr. Stuart,	
Mr. Babcock,	Mr. Hawley,	Mr. Turner,	
Mr. Ball,	Mr. Lamb,	Mr. Videtto,	
Mr. Blair,	Mr. Lewis,	Mr. Walker,	
Mr. Bush,	Mr. Little,	Mr. Wendell,	
Mr. Chipman,	Mr. Lothrop,	Mr. White,	
Mr. Cooper,	Mr. Norvell,	Mr. Wilson,	
Mr. Dexter,	Mr. Preston,	Mr. Wing,	
Mr. Dort,	Mr. Rice,	Mr. Speaker,	33

NAYS.

Mr. Annable,	Mr. Hewitt,	Mr. Magoon,	
Mr. Bennett,	Mr. Humphrey,	Mr. Mickle,	
Mr. Berry,	Mr. King,	Mr. Sheldon,	
Mr. Crary,	Mr. Littlejohn,	Mr. Smith,	
Mr. Goodwin,	Mr. Livermore,	Mr. Woodbury,	15

COMMITTEE OF THE WHOLE.

On motion of Mr. Goodwin, the House resolved itself into committee of the whole, on the general order ; Mr. Littlejohn in the chair.

After some time spent thereon, the committee rose and reported back to the House, the " Bill to create the office of commissioner of university and school funds, and state lands, and for other purposes," with an amendment to come in at the end of the fifth section, in the following words : " and all other lands that may hereafter accrue to the state from any other cause ;" also to fill the blank in the seventh section with the word " seven," and the blank in the eighth section with the words " first day of March ;" which amendments were con-

curred in ; and, on motion of Mr. Livermore, the words "be appointed by the Governor, by and with the advise and consent of the Senate," was stricken out in the first section, and the words "be elected in joint convention of both houses of the legislature" inserted in lieu thereof ; and the bill, as amended, was laid on the table.

The committee of the whole also reported, by their chairman, the "Bill to incorporate the rector, wardens and vestrymen of St. Paul's church, in the city of Detroit," with an amendment, striking out all after the enacting clause ; and the question being about to be taken on concurring with the committee, the same, on motion of Mr. Norvell, was laid upon the table.

Mr. Norvell moved a reconsideration of the vote yesterday on the bill to legalize certain acts of the Kalamazoo mutual insurance company ; and the question being about to be taken,

On motion of Mr. Lothrop, the House adjourned till to-morrow morning, 9 o'clock.

Friday, January 21, 1842.

The House met pursuant to adjournment.

The members were present except Messrs. Hanscom and Howell, on leave, and Messrs. Babcock, Smith and Walker.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and corrected.

Mr. Gunning asked and obtained leave of absence for Mr. Babcock until Monday.

Mr. Little for Mr. Smith until Tuesday.

Mr. White for Mr. Walker until Tuesday.

PETITIONS.

By Mr. Cooper. Of sundry inhabitants of Jackson county, in relation to the claim of A. Bigelow. Referred to the committee on claims.

By Mr. Lewis. Claim made by sundry officers of a court martial held pursuant to law. Referred to the committee on claims.

By Mr. Wing. Petition and documents of John Delafield, claiming compensation for services rendered in negotiating the five million loan, and for moneys advanced. Referred to the committee on claims.

By Mr. Cooper. Of inhabitants of the county of Jackson, for the relief of the purchasers of primary school lands. Referred to the committee on university and school lands.

By Mr. Sanborn. Of some of the inhabitants of St. Clair county, for a division of said county. Referred to the committee on St. Clair county seat.

By Mr. Bush. Of Erastus Ingersoll, praying for certain privileges in relation to building a dam on Grand river. Referred to the committee on roads and bridges.

By Mr. Fessenden. Of inhabitants of Oakland county, asking for some legislative action upon the subject of the Pontiac turnpike. Referred to the committee on banks and incorporations.

By Mr. Lamb. Of W. H. Griswold and Moses Sutherland, for relief. Laid on the table.

REPORTS.

Mr. Norvell, from the committee on ways and means, to whom was referred, on the 19th instant, the petition of the tax collector and inhabitants of the township of Frenchtown, in the county of Monroe, praying for an extension of the time for the collection of the taxes due in said township, report :

That while they would gladly recommend the measure suggested, and have no doubt of the difficulties encountered by the inhabitants of Frenchtown, in raising money for the payment of their taxes, the committee, in view of the fact that the same difficulties exist in every section of the state, cannot think it right to adopt a principle of partial relief to one township, without extending the same relief to others. If any provision of this kind is to be adopted, it ought to be general in its character, extending over the state, and not limited to any one township. The expediency of a general measure of this nature, in the existing condition of our public finances, is more than doubtful; and, without the express instruction of the House, the committee should deem it wrong to bring in any general or partial bill on the subject, and cannot, therefore, recommend the relief desired. They submit the following resolution :

Resolved, That the prayer of the petitioners ought not to be granted.

And the resolution was adopted.

Mr. Norvell, from the on ways and means, to whom was referred, on the 20th instant, a petition of sundry residents of the county of St. Joseph, asking relief for Joel J. Webb, report:

That it appears that on the fifth day of July last, in the celebration of the anniversary of American independence, the said Joel J. Webb, in officiating in the act of firing a cannon, had his right hand and a part of his arm shot off; was by this cause disabled from obtaining a subsistence for himself and a dependent family; and, upon this ground, the petitioners pray that legislative relief, in a pecuniary gratuity, may be extended to their unfortunate fellow citizen.

The committee fully appreciate the patriotic feelings of the disabled citizen, which led to his disaster, as well as the sympathies of the petitioners; but hundreds of the people of Michigan, heads of families, are in a situation of inability to support their families, and might as powerfully, on the score of sickness, accident, age, or extreme poverty, appeal to the legislature to grant them relief, as the person in whose behalf this application is made.

The heavy taxation imposed upon our citizens, for the support of the government, and for the payment of the interest on their large public debt, ought not to be increased by the establishment of a system of pecuniary gratuities, or pensions for accidents and misfortunes. Besides, the case of Mr. Webb is one invoking the benevolent aid of his neighbors and immediate fellow citizens, rather than that of the public authorities of the state. The legislature have no right to vote away the money of the people for such purposes. The committee, therefore, submit the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

Mr. Cooper, from the committee on banks and incorporations, to whom was referred a bill from the Senate, entitled "A bill to amend an act entitled 'an act to amend an act entitled an act to incorporate the village of Niles,' and the act or acts amendatory thereto," reported the same back without amendment, and the bill was referred to the committee of the whole.

Mr. Livermore, from the committee on claims, to whom was re-committed a report which they made on Tuesday last, on the petition of Emery Beals, with instructions to report to the House all the facts

in the case in their possession, agreeable to said instructions, submitted the following papers :

Number 1. The original petition of Emery Beals ;

Number 2. The report which the committee made thereon ;

Number 3. A schedule of the petitions, estimates attached, to which is a statement of William R. Thompson, late commissioner of internal improvement ;

Number 4. Is a bill which has been put into the hands of the committee for the relief of Emery Beals.

And the bill was, on motion of Mr. Bush, referred to the committee of the whole.

Mr. Crary, from the committee on education, to whom was referred the annual message of the Governor, as relates to education, made a report, concluding with the following resolution, which was adopted :

Resolved, That the committee on education be discharged from the further consideration of that portion of the annual message of the executive, which invites attention to the report of the regents of the university, made in obedience to a joint resolution of the legislature, of the year 1840.

On motion of Mr. Stuart, the report was ordered to be printed.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to authorize John Mullett to erect a dam across the Red Cedar river, in the county of Ingham."

Mr. Bennett, pursuant to leave, introduced "A bill to amend an act entitled 'an act to incorporate the village of St. Joseph,' " which was referred to the committee on banks and incorporations.

Mr. Lamb, pursuant to leave, introduced "A bill for the relief of William H. Griswold and Moses Sutherland," which, with the petition relative to it, was referred to the committee on the judiciary.

The following message was announced from the Senate :

SENATE CHAMBER, }
Saturday, January 21, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to you "A bill in relation to the university and primary school fund, and for other pur-

poses," which has this day passed the Senate, and in which the concurrence of the House is respectfully requested.

S. YORKE AT LEE,

Secretary of the Senate.

And the said bill was referred to the committee on education.

RESOLUTIONS.

Mr. Lothrop offered the following resolution:

Resolved, That the committee on taxation, be instructed to bring in a bill to repeal all laws now in force, authorizing the assessment of the property of any person who, under the constitution, is not allowed the right of suffrage, on account of his not being a "white male citizen."

Mr. White moved to lay the resolution on the table, which motion was lost.

The yeas and nays being called for by Mr. Norvell, the same were ordered, and the resolution lost, by the following vote :

YEAS.

Mr. Dexter,	Mr. Little,	Mr. Preston,	
Mr. Fessenden,	Mr. Livermore,	Mr. Turner,	
Mr. Humphrey,	Mr. Lothrop,	Mr. White,	
Mr. Lamb,	Mr. Mickle,	Mr. Wing,	12

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Norvell,	
Mr. Annable,	Mr. French,	Mr. Rice,	
Mr. Axford,	Mr. Goodwin,	Mr. Sanborn,	
Mr. Ball,	Mr. Gunning,	Mr. Scott,	
Mr. Bennett,	Mr. Hathaway,	Mr. Sheldon,	
Mr. Berry,	Mr. Hawley,	Mr. Stuart,	
Mr. Blair,	Mr. Hewitt,	Mr. Videtto,	
Mr. Bush,	Mr. King,	Mr. Wendell,	
Mr. Chipman,	Mr. Lewis,	Mr. Wilson,	
Mr. Cooper,	Mr. Littlejohn,	Mr. Woodbury,	
Mr. Crary,	Mr. Magoon,	Mr. Speaker,	33

On motion of Mr. Bush,

Resolved, That the committee on manufactures be requested to take into consideration the propriety of increasing the bounty on wolves.

On motion of M. Livermore,

Resolved, That the committee on claims be empowered with authority to send for persons and papers, to investigate the claim of Kendall and others.

NOTICES.

Mr. Fessenden gave notice that to-morrow he will ask leave to introduce a bill to amend the eighty-third section of chapter first, title seven, part first of the revised statutes.

Mr. Bennett gave notice that he shall, at some future day, ask leave to introduce a bill to amend chapter third, title third, part first of the revised statutes, relative to the appointment of notaries public.

COMMITTEE OF THE WHOLE.

On motion of Mr. Dort,

The House resolved itself into committee of the whole on the bill to abolish the office of state printer, and for other purposes, Mr. Fessenden in the chair.

After some time spent thereon, the committee rose and reported back to the House the Senate bill, with an amendment, striking out all after the enacting clause, and inserting all after the enacting clause of the House bill, and also inserting the fourth section of the senate bill; which report and amendments were concurred in by the House, by yeas and nays, as follows:

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Berry,
Mr. Blair,
Mr. Bush,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,
Mr. French,
Mr. Goodwin,

Mr. Hathaway,
Mr. Hawley,
Mr. Humphrey,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,

Mr. Mickle,
Mr. Norvell,
Mr. Rice,
Mr. Sanborn,
Mr. Sheldon,
Mr. Stuart,
Mr. Turner,
Mr. Videtto,
Mr. White,
Mr. Wing,

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NAYS.

Mr. Bennett,
Mr. Chipman,
Mr. Cooper,
Mr. Dort,

Mr. Gunning
Mr. Hewitt,
Mr. King,
Mr. Preston,

Mr. Scott,
Mr. Wendell,
Mr. Wilson,
Mr. Speaker,

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On motion of Mr. Stuart,

The words "selected by the attorneys, counsellors, or other persons entrusted with the same," was stricken out, and the words "ordered by the court or officer before whom any matter or suit may be had or pending," inserted in lieu thereof.

Mr. Stuart moved that the bill be engrossed and ordered to a third reading.

Mr. Dort moved to lay the bill on the table, which motion was lost.

The question recurring on the motion of Mr. Stuart, the same was adopted.

On motion of Mr. Stuart,

The operation of the resolution, requiring two sessions a day, was suspended for six days.

Mr. Bush called up for consideration, the bill to incorporate the rector, wardens and vestrymen of St. Paul's church, of the city of Detroit, and, on his motion, the further consideration of the same was indefinitely postponed.

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }
Friday, January 21, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return the joint resolution relative to adjournment of the legislature, and inform the House that the Senate have concurred therein.

S. YORKE AT LEE,
Secretary of the Senate.

And the said resolution was ordered to be enrolled.

On motion of Mr. Lothrop,

The House adjourned till to-morrow morning, at nine o'clock.

Saturday, January 22, 1842.

The House met pursuant to adjournment.

The members were present except Messrs. Babcock, Howell, Smith and Walker, on leave, and Mr. Sheldon.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and approved.

Mr. Rice asked for and obtained leave of absence for Mr. Sheldon until Tuesday.

PETITIONS.

By Mr. Scott. Claim of O Marsh, for services. Referred to the committee on claims.

By Mr. Norvell. Claim of S. N. Gantt. Referred to the committee on claims.

By Mr. Cooper. Claim of Dr. Backus. Referred to the committee on claims.

By Mr. Turner. Of forty citizens of Shiawassee county, praying a law to make valid tax deeds. Referred to the select committee on taxation.

By Mr. Berry. Of sixty-seven inhabitants of Branch county, asking a bounty on the manufacture of silk. Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Livermore, from the committee on claims, to whom was referred the petition and documents of John Delafield, claiming compensation for services rendered in negotiating the five million loan, and for moneys advanced, reported the same back to the House and moved their reference to a select committee of five ; which motion prevailed, and the Speaker announced Messrs. Stuart, Goodwin, Hanscom, Annable and Dexter, as said committee.

Mr. Littlejohn, from the committee on the judiciary, reported "A bill to provide for the transfer of real estate on execution and for other purposes," which was referred to the committee of the whole, and, on motion of Mr. Fessenden, ordered to be printed.

Mr. Littlejohn, also, from the committee on the judiciary, to whom was referred a bill entitled "An act for the security of persons depositing wheat at mills for flouring against loss, and to punish fraudulent millers," reported as a substitute, "A bill to amend chapter eighth, title fourth, part third of the revised statutes, entitled of proceedings for the support and regulation of mills," which was referred to the committee of the whole.

Mr. Fessenden, agreeably to previous notice, and pursuant to leave, introduced "A bill to amend the eighty-third section of chapter first, title seventh, part first of the revised statutes ;" which bill, the rule being suspended, was referred to the committee of the whole.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "A joint resolution relative to the adjournment of the legislature."

Mr. Stuart, from the committee on the judiciary, reported as follows :

That the judiciary committee, to whom was referred a resolution of the House instructing an inquiry into the expediency of granting to the circuit court the power to decree the forfeiture of charters for infractions thereof, ask leave to report ;

That in the opinion of your committee, such power is inconsistent with the jurisdiction of those courts, and can be much more efficiently exercised by a court of chancery, wherein all matters of such character are cognizable.

Your committee have also had under consideration a resolution of the House, instructing an inquiry in regard to abolishing certain oaths of overseers of highways, and are of opinion that no legislation upon that subject can be appropriately had at this time, but should be left to a general revision of the laws on that subject. They therefore ask to be discharged from the further consideration of both these resolutions.

Your committee have also considered a joint resolution (from the Senate) in relation to state bonds, which they ask leave to report back to the House with certain amendments, in which they recommend the concurrence of the House.

Your committee also ask leave to report " A bill relative to the decisions of the supreme courts," and to recommend to the House the passage of the same.

Your committee also ask leave to report back to the House, " A joint resolution (from the Senate) relative to the rules of probate courts," with their opinion that the House ought not to pass the same, believing that if the plan embraced in its provisions were carried out, proceedings in probate courts would not thereby be expedited or rendered more certain, and therefore that unnecessary duties are imposed upon the supreme court thereby.

Your committee have very carefully and fully considered the Senate bill, defining the powers of the judges of the supreme court in certain cases, and have come to the conclusion to report against its passage in the House, having become perfectly satisfied that the evils intended to be remedied thereby, result inevitably from the plan of the organization of that court—and that instead of modifying, the

House would only increase the difficulties, incident to that system, by passing this bill.

Your committee have also considered the petition of certain citizens of the township of Cass in the county of Ionia, praying the passage of an act legalizing certain assessments made therein, or authorizing a re-assessment, ask leave to report that in the opinion of the committee it is not expedient to comply with the prayer of the petitioners, and they ask to be discharged from the further consideration of the subject.

And the report of the committee was concurred in, except in the instance of the last clause thereof, the subject matter of which, was, on motion of Mr. Dexter, recommitted to the same committee with instruction to report a bill allowing the assessors to make a new assessment roll, by the following vote :

YEAS.

Mr. Anderson,
Mr. Arnold,
Mr. Axford,
Mr. Bennett,
Mr. Crary,
Mr. Dexter,
Mr. Dort,
Mr. French,
Mr. Goodwin,

Mr. Hawley,
Mr. Hewitt,
Mr. King,
Mr. Lamb,
Mr. Little,
Mr. Magoon,
Mr. Norvell,
Mr. Preston,

Mr. Rice,
Mr. Sanborn,
Mr. Turner,
Mr. Videtto,
Mr. Wendell,
Mr. White,
Mr. Wing,
Mr. Woodbury,

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NAYS.

Mr. Annable,
Mr. Ball,
Mr. Berry,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,

Mr. Fessenden,
Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. Humphrey,
Mr. Lewis,
Mr. Littlejohn,

Mr. Lothrop,
Mr. Mickle,
Mr. Scott,
Mr. Stuart,
Mr. Wilson,
Mr. Speaker,

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And the bill relative to decisions of the supreme court, was referred to the committee of the whole.

The bill from the senate defining the powers of the judges of the supreme court, was non-concurred in, and the joint resolution from the Senate, relative to probate courts, non-concurred in, and returned to the Senate.

And the Senate joint resolution relative to state stocks, was concurred in, with the following amendments :

1. Strike out both the Senate amendments.

2. After the words "paid for," in the seventh line, strike out the words "now remaining within the control of said banks," and insert the words, "according to the terms specified therein."

3. After the word "bonds," in the eighth line, strike out the words "so remaining within the control of said bank."

4. Prefix to the ninth line these words, "which may have accrued or shall hereafter accrue."

5. Strike out all in the ninth line, after the word "premises."

6. Strike out the word "requiring," in the eighth line, and insert the word "that," and insert after the word "remuneration," the words, "will be required."

Mr. White, pursuant to notice, obtained leave to introduce a bill to exempt from taxation, lands used by the state of Michigan for the purposes of railroads or canals; which was referred to the committee on the judiciary.

RESOLUTIONS.

On motion of Mr. Hawley,

Resolved, That the committee on education inquire into the expediency of so amending section sixth of an act to amend the revised statutes relative to primary schools, approved April 1, 1840, as to read as follows:

"Every white male inhabitant of the age of twenty-one years, residing in such district, liable to pay a school district tax, shall be entitled to vote at any district meeting: *Provided*, That any such person, offering to vote at any such meeting, shall be objected to for the reason that his property is not on the assessment roll of the district; said person shall state the aggregate amount of his property, in open meeting, and the same being forthwith placed on the assessment roll by the assessor, he shall be entitled to vote at any such meeting.

On motion of Mr. Lothrop,

Resolved, That the executive be requested to transmit to this House, copies of any correspondence, now on file in his office, that may have taken place between the late executive and the officers of the bank of Michigan, relating to any claim for damages which said bank may have against the state.

The bill to abolish the office of state printer, and for other purpo-

ses, was taken up, read a third time and passed, by the following vote :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Mickle,
Mr. Annable,	Mr. Goodwin,	Mr. Norvell,
Mr. Axford,	Mr. Hathaway,	Mr. Rice,
Mr. Ball,	Mr. Hawley,	Mr. Sanborn,
Mr. Berry,	Mr. Humphrey,	Mr. Stuart,
Mr. Blair,	Mr. Lamb,	Mr. Turner,
Mr. Bush,	Mr. Little,	Mr. White,
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,
Mr. Fessenden,	Mr. Magoon,	

29

NAYS.

Mr. Arnold,	Mr. Gunning,	Mr. Scott,
Mr. Bennett,	Mr. Hanscom,	Mr. Videtto,
Mr. Chipman,	Mr. Hewitt,	Mr. Wilson,
Mr. Cooper,	Mr. King,	Mr. Speaker,
Mr. Dort,		

13

Mr. Lothrop called for the question on Mr. Norvell's motion of Thursday, to reconsider the vote on the bill legalizing certain acts of the Kalamazoo insurance company, and the vote was reconsidered, the bill taken up and passed by yeas and nays, as follows :

YEAS.

Mr. Axford,	Mr. Gunning,	Mr. Lothrop,
Mr. Bennett,	Mr. Hanscom,	Mr. Mickle,
Mr. Berry,	Mr. Hewitt,	Mr. Sanborn,
Mr. Blair,	Mr. Humphrey,	Mr. Scott,
Mr. Crary,	Mr. King,	Mr. Turner,
Mr. Dexter,	Mr. Lamb,	Mr. Wilson,
Mr. Fessenden,	Mr. Little,	Mr. Wing,
Mr. Goodwin,		

22

NAYS.

Mr. Anderson,	Mr. French,	Mr. Stuart,
Mr. Annable,	Mr. Hathaway,	Mr. Videtto,
Mr. Arnold,	Mr. Littlejohn,	Mr. Wendell,
Mr. Ball,	Mr. Magoon,	Mr. White,
Mr. Bush,	Mr. Norvell,	Mr. Woodbury,
Mr. Chipman,	Mr. Preston,	Mr. Speaker,
Mr. Cooper,	Mr. Rice,	

20

During the call of the yeas and nays, the question arising whether members interested in the company were entitled to vote, on motion of Mr. Norvell, they were required to vote.

COMMITTEE OF THE WHOLE.

On motion of Mr. Crary,

The bill making an appropriation for the improvement of the state salt springs, was taken up in committee of the whole, Mr. Cooper in the chair; and after having the same under consideration, the committee rose and reported the same back to the House without amendment.

The bill being under consideration by the House, Mr. Bush moved to strike out \$15,000 and insert \$5,000; discussion arising thereon, Mr. Scott moved an adjournment, which was lost.

Mr. Livermore moved to lay the bill on the table, which motion was lost.

Mr. Hanscom moved to defer the further consideration until Monday; which motion prevailed.

The Speaker announced the following message from the executive:
To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, "An act to accept a certain grant of land, made by the United States to the state of Michigan, and to authorize the governor to cause the same to be located."

Also, "An act to authorize John Mullett to erect a dam across the Red Cedar river, in the county of Ingham."

JOHN S. BARRY.

Executive Office, January 22, 1842.

The following message was announced from the Senate:

SENATE CHAMBER,
Saturday, January 22, 1842. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to inform the House of Representatives, that the Senate this day concurred in the recommendation and adopted the report of the committee of conference on the disagreement in regard to the per diem allowance of the President of the Senate the Speaker of the House, and that the bill to provide for the payment of the members and officers of the legislature, has been ordered to be enrolled.

S. YORKE AT LEE,
Secretary of the Senate.

On motion of Mr. Lothrop,

The House adjourned until Monday morning, at nine o'clock.

Monday, January 24, 1842.

The House met pursuant to adjournment.

The members were present, except Messrs. Howell, Sheldon, Smith and Walker, absent on leave, and Mr. Wilson.

Prayer by the Rev. Mr. Duffield.

The journal of Saturday was read and approved.

Mr. Woodbury asked for and obtained leave of absence for Mr. Wilson till Saturday.

PETITIONS.

By Mr. Bush. Of sundry inhabitants of Livingston county, asking that the law be so amended as to permit county treasurers to collect delinquent taxes. Referred to the select committee on taxation.

By Mr. Ball. Of sundry citizens of Lenawee county, praying for the passage of a law relative to taxes. Referred to the select committee on taxation.

By Mr. Hanscom. Of voters of Wayne county, asking for the right of trial by jury for persons claimed as fugitives, &c. Referred to the committee on the judiciary.

By the Speaker. Of certain persons, in regard to the rights of witnesses in courts of law. Referred to the committee on the judiciary.

By Mr. Bush. Of sundry inhabitants of Livingston county, relative to treasurer's deeds. Referred to the committee on the judiciary.

By Mr. Cooper. Of inhabitants of Springport, Jackson county, for an alteration in the Clinton and Grand Rapids road. Referred to the committee on roads and bridges.

By Mr. Crary. Of citizens of Calhoun county, for reduction in prices of university and school lands. Referred to the committee on university and school lands.

By Mr. Mickle. Of citizens of Branch, against the removal of the county site. Referred to the committee of the whole.

By Mr. Fessenden. Of William Foster and John Parshall, asking for redress for losses occasioned by failure of the state to comply with a contract. Referred to the committee on internal improvement.

REPORTS.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred the "Bill to amend an act entitled 'an act to incorporate to village of St. Joseph,'" reported the same back with amendments, and the bill and amendments were referred to the committee of the whole.

Mr. Livermore, from the committee on claims, to whom was referred the petition of Benjamin Porter, reported the same back to the House, asked to be discharged and moved the reference to the committee on ways and means. Referred accordingly.

Mr. Chipman, from the committee on elections, to whom was referred a resolution on the subject, reported "A bill to repeal an act entitled 'an act to preserve the purity of elections,' approved April 13, 1841," which was referred to the committee of the whole.

Mr. Chipman, from the same committee, who had under consideration the resolution directing them to inquire into the expediency of so amending the eighth section of part first, title second of the revised statutes, as to make it the duty of township clerks to notify all elections and township meetings, reported :

That upon a careful examination of the provisions of the law upon that subject, they are of opinion that it would be inexpedient to alter the law so as to meet the proposition advanced in said resolution, and asked to be discharged from any further consideration thereof.

And the committee were discharged accordingly.

Mr. Chipman, from the same committee, to whom was referred resolutions on the subject, reported "A bill to amend section three, chapter nine, title two, part first of the revised statutes, concerning penalties for violating the provisions contained in this title, and for misconduct at elections," which bill was referred to the committee of the whole.

Mr. Rice, from the committee on banks and incorporations, reported :

That the committee having had under consideration so much of the Governor's message as relates to making provision by law for suppressing from circulation the non-specie bank notes of other states and also sundry petitions touching the same matter, beg leave to report :

That important as the subject may be, the committee are happy to state that they have been anticipated on this subject, by the committee on ways and means. By reference to a bill reported to this House by the chairman of that committee, entitled "A bill to prohibit the re-issue of treasury notes, and for other purposes," it will be seen, that provision is therein made for prohibiting the various officers through whose hands public moneys pass, from receiving or paying out any such funds as we are now contemplating. Believing that little or nothing would be gained by any provision that this legislature can make, which will not be effected by the provisions of the bill above referred to, the committee find their duty in the premises narrowed down to a single point : that of recommending the passage of said bill, with such amendments thereto, if any, as the House may deem necessary ; and the committee respectfully ask to be discharged from further consideration of the subject.

And the report was accepted, and the committee discharged.

Mr. Anderson, pursuant to notice, obtained leave to introduce "A bill to abolish the office of township assessors, and to provide for the election of three county assessors," which was referred to the committee on taxation.

Mr. Norvell, pursuant to notice, introduced "A bill providing for the publication of the acts and joint resolutions of this legislature ;" and the rule, on his motion, was suspended, and the same referred to the committee of the whole.

Mr. Bennett, pursuant to notice, introduced "A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes," which was referred to the committee on the judiciary.

Mr. King, pursuant to notice, introduced "A bill to amend an act entitled 'an act for incorporating the borough of Michilimackinac,' " which was referred to the committee on banks and incorporations.

The Speaker announced a report from the auditor general, in compliance with the resolution of the House of April 5th, respecting the river Raisin and lake Erie railroad company, which was referred to the committee on internal improvement, and on motion of Mr. Wing, ordered printed.

Mr. Goodwin called up from the table, the "Bill to repeal the

charters of certain banks, and for other purposes," and on his motion, said bill was made the order of the day for Thursday next.

RESOLUTIONS.

Mr. Gunning laid the following resolution on the table :

Resolved by the Senate and House of Representatives of the State of Michigan, That all laws and joint resolutions passed by this legislature, be published in the Democratic Free Press, except such laws and joint resolutions as may have been published in the Detroit Advertiser, until otherwise ordered.

On motion of Mr. Wing,

Resolved, That the committee on ways and means be instructed to ascertain, if practicable, the amount due from the Detroit and Pontiac railroad company, for iron sold to said company under a joint resolution of the legislature, approved December 14, 1837, and report to this House whether any further legislation is necessary, to render the balance due, available to the state.

On motion of Mr. Fessenden,

Resolved, That the acting commissioner of internal improvement be requested to communicate to this House, all the information he may have in relation to the letting of the contract to construct a canal around the rapids of Grand river.

UNFINISHED BUSINESS.

The bill making an appropriation for the improvement of the state salt springs, being announced as unfinished business, and the question being on Mr. Bush's motion of Saturday, to strike out fifteen thousand and insert five thousand, the motion was lost by yeas and nays, as follows :

YEAS.

Mr. Axford,	Mr. Cooper,	Mr. Lamb,	
Mr. Babcock,	Mr. Dort,	Mr. Scott,	
Mr. Bush,	Mr. Gunning,	Mr. Wendell,	9

NAYS.

Mr. Anderson,	Mr. Hanscom,	Mr. Norvell,
Mr. Annable,	Mr. Hathaway,	Mr. Preston,
Mr. Arnold,	Mr. Hawley,	Mr. Rice,
Mr. Ball,	Mr. Hewitt,	Mr. Sanborn,
Mr. Bennett,	Mr. Humphrey,	Mr. Stuart,
Mr. Berry,	Mr. King,	Mr. Turner,
Mr. Blair,	Mr. Little,	Mr. Videtto,
Mr. Chipman,	Mr. Littlejohn,	Mr. White,

Mr. Crary,	Mr. Livermore,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,	
Mr. French,	Mr. Magoon,	Mr. Speaker,	
Mr. Goodwin,	Mr. Mickle,		35

The question being taken on the motion of the same mover, to strike out, "and also on the Titabawassee river, in Midland county," the same was lost.

Mr. Scott then moved to strike out all after the enacting clause.

Mr. Chipman moved to lay the bill on the table, which was lost.

The question recurring on the motion of Mr. Scott, the same was lost, by yeas and nays, as follows :

YEAS.

Mr. Axford,	Mr. Gunning,	Mr. Scott,	
Mr. Babcock,			4

NAYS.

Mr. Anderson;	Mr. French,	Mr. Mickle,	
Mr. Annable,	Mr. Goodwin,	Mr. Norvell,	
Mr. Arnold,	Mr. Hanscom,	Mr. Preston,	
Mr. Ball,	Mr. Hathaway,	Mr. Rice,	
Mr. Bennett,	Mr. Hawley,	Mr. Sanborn,	
Mr. Berry,	Mr. Hewitt,	Mr. Stuart,	
Mr. Blair,	Mr. Humphrey,	Mr. Turner,	
Mr. Bush,	Mr. King,	Mr. Videtto.	
Mr. Chipman,	Mr. Lamb,	Mr. Wendell,	
Mr. Cooper,	Mr. Littlejohn,	Mr. White,	
Mr. Crary,	Mr. Livermore,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Dort,	Mr. Magoon,	Mr. Speaker,	
Mr. Fessenden,			40

On motion of Mr. Goodwin,

The word "standing," in the third line of section one, was stricken out, and the words "or that may hereafter come into the treasury," inserted in lieu thereof.

The question then being on ordering the bill engrossed, as amended, the same was so ordered, by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Magoon,
Mr. Annable,	Mr. Goodwin,	Mr. Mickle,
Mr. Arnold,	Mr. Hanscom,	Mr. Norvell,
Mr. Ball,	Mr. Hathaway,	Mr. Preston,
Mr. Bennett,	Mr. Hawley,	Mr. Rice,
Mr. Berry,	Mr. Hewitt,	Mr. Sanborn,
Mr. Blair,	Mr. Humphrey,	Mr. Stuart,
Mr. Bush,	Mr. King,	Mr. Videtto,

Mr. Chipman,	Mr. Lamb,	Mr. Wendell,	
Mr. Cooper,	Mr. Little,	Mr. White,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,	
Mr. Dexter,	Mr. Livermore,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Lothrop,	Mr. Speaker,	39

NAYS.

Mr. Axford,	Mr. Dort,	Mr. Scott,	
Mr. Babcock,	Mr. Gunning,		5

On motion of Mr. Littlejohn,

The rule was suspended, the bill read a third time, passed, and transmitted to the Senate.

On motion of Mr. Crary,

The special order of the day was laid aside, and the House resolved itself into committee of the whole on the joint resolution of instruction respecting moneyed corporations and the grant of the state salt springs; and after some time spent thereon, the committee rose and reported the same back to the House with amendments, which were concurred in by the House, striking out in the first resolution relative to the state salt springs, "make a proposition to congress to," and inserting the words, "use their exertions to procure from congress a," and striking out the words, "lands adjoining."

The same were amended, also, by adding, on motion of Mr. Wing, the following resolution :

Resolved, That our senators in congress be instructed, and our representative requested, to urge upon congress the importance of making suitable appropriations for the improvement of lake harbors within the limits of this state.

Mr. Little offered the following resolution as a substitute, which was lost :

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed, and our representative requested, to vote for the passage of some law creating a bank of the United States, or some other fiscal agent, with power to discount notes and bills of exchange, and to issue paper as a circulating medium, founded on a safe specie basis, with proper safeguards for the protection of the people.

The resolutions, as amended, were adopted.

Mr. Stuart, to whom had been referred a petition of D. B. Hib-

bard and others, reported the same back to the House, and, on motion of Mr. Norvell, it was laid on the table.

Also, the petition of certain voters of Wayne county, which was laid on the table.

A special message was announced from the executive, as follows :
To the House of Representatives :

In compliance with a request contained in a resolution of the House of Representatives, passed on the 22d instant, I herewith transmit a copy of the correspondence between C. C. Trowbridge, president of the bank of Michigan, and J. Wright Gordon, late acting Governor of this state, on the subject of a claim of that institution, founded on the protest of a draft drawn by the authorities of the state on an instalment of the five million loan.

JOHN S. BARRY.

Executive Office, January 24, 1842.

And the said correspondence was laid on the table.

On motion, the House adjourned till to-morrow morning, at nine o'clock.

Tuesday, January 25, 1842.

The House met pursuant to adjournment.

The members were present except Mr. Wilson, absent on leave.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

Mr. Norvell presented a communication from Alexander D. Frazer, Esq., in relation to the notice in connection with the application for the incorporation of the St. Paul's church, and moved for the appointment of a committee of investigation.

The motion prevailing, the Speaker announced Messrs. Norvell, Chipman and Bush, as such committee.

Mr. Sanborn asked the appointment of an additional member of the committee on the subject of the St. Clair county seat.

The Speaker announced Mr. Videtto as such additional member of the committee.

PETITIONS.

By Mr. Howell. Of inhabitants of Hillsdale county, for a repeal

of a portion of the revised statutes relative to the practice of physic and surgery. Referred to the committee on physic and surgery.

By Mr. Howell. Of inhabitants of Hillsdale county, asking a repeal of the appraisal law. Laid on the table.

By Mr. Howell. Of inhabitants of Hillsdale county, to abolish the office of county commissioner. Referred to the select committee on taxation.

By Mr. Lothrop. Of Henry Tuttle and others for a graduation of the specific state tax on tavern keepers. Referred to the select committee on taxation.

By Mr. French. Of sundry inhabitants of Eaton county, for the alteration of the law in relation to the collection of taxes on non-resident lands. Referred to the select committee on taxation.

By Mr. Turner. Of inhabitants of Shiawassee county for the alteration of the boundary line of certain townships therein named. Referred to the committee on towns and counties.

By Mr. Fessenden. Of Isaac Kelly and others contractors on the Clinton and Kalamazoo canal, asking for the payment of their claims. Referred to the committee on internal improvement.

By Mr. Fessenden. Of D. Wesolowski, asking for payment for services as assistant engineer upon the Clinton and Kalamazoo canal. Referred to the committee on internal improvement.

REPORTS.

Mr Littlejohn, from the committee on the judiciary, reported "A bill to amend chapter fifth, title third, part third of the revised statutes, entitled 'of forcible entry and detainer,'" which was referred to the committee of the whole.

Mr. Hanscom, from the committee on the judiciary, reported "A bill to change the time for holding the circuit court for the county of Clinton," which was referred to the committee of the whole.

Mr. Livermore, from the committee on claims, to whom was referred the claim of Arthur Edwards for a railroad car, reported :

That they had given the subject a careful and impartial consideration and have been unable to discover any good reason why said claim should be allowed, and asked leave to be discharged, and that the petitioner have leave to withdraw his papers, which was granted.

Mr. Livermore, from the same committee, to whom was referred

the claim of Kendall and others, reported that in their opinion the directions given to the board of internal improvement in an act (No. 66) relative to the works of internal improvement, approved April 16, 1841, are amply sufficient to meet the case, so far as legislation is necessary, and asked to be discharged from its further consideration, and recommended its reference to the committee on internal improvement. Discharged and referred accordingly.

RESOLUTIONS.

On motion of Mr. Dexter,

Resolved, That there be a committee appointed, whose duty it shall be to report to the House, whether in their opinion the manner of heating the hall from beneath is not injurious to health, and if so, the manner in which it can be heated without injury.

* Messrs. Dexter, Howell and Anderson, were announced by the Speaker as such committee.

SPECIAL ORDER.

On motion of Mr. Norvell,

The House resolved itself into committee of the whole, on the bill to exempt certain property from execution or sale for any debt, damages, fines or amercement ; Mr. Howell in the chair.

After some time spent thereon, the committee rose and reported that they had had the same under consideration, made some progress therein, and asked leave to sit again.

Leave was granted, and on motion of Mr. Stuart,

The House adjourned until half past two o'clock.

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Afternoon Session.

The House met pursuant to adjournment, and a quorum being present,

The Speaker announced the following message from the Senate :

SENATE CHAMBER, }
Tuesday, January 25, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House, the Senate " Bill to abolish the office of state printer, and for other purposes," and to inform the House that the Senate have non-concurred in the amendments made thereto by the House.

Also, to transmit "A bill in relation to the assessment of real and personal property," which the Senate have passed, and to respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,
Secretary of the Senate.

Mr. Dort moved that the House recede from their amendments to the Senate bill to abolish the office of state printer, and for other purposes.

Mr. Lamb moved to lay the bill upon the table, which motion was lost.

Mr. Crary moved that the House do insist upon their amendments to said bill, and that a committee of conference be appointed; which motion prevailed.

And the Senate bill in relation to the assessment of real and personal property, was referred to the select committee on taxation.

The following message was announced from the Executive :
To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following act, viz :

"An act to authorize the superintendent of public instruction to rectify certain errors in regard to a sale of school lands to Thomas K. Green, and to do certain acts incident thereto."

JOHN S. BARRY.

Executive Office, January 25, 1842.

A communication was received from the commissioner of internal improvement, in compliance with the resolution of the 24th instant, which was laid upon the table.

On motion of Mr. Hanscom,

The House again resolved itself into committee of the whole on the "Bill to exempt certain property from execution or sale for any debt, damages, fines or amercement;" Mr. Howell in the chair.

After some time spent thereon, the committee rose, reported progress, and asked leave to sit again, which was granted; and,

On motion of Mr. Axford, the House adjourned till to-morrow morning, at 9 o'clock.

Wednesday, January 26, 1842.

The House met pursuant to adjournment.

The members were present except Mr. Wilson, absent on leave.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday read and approved.

PETITIONS.

By Mr. Chipman. Five several petitions for the reduction of the price of university and school lands. Referred to the committee on university and school lands.

By Mr. Bush. Of inhabitants of Livingston county, praying for the abolishment of the office of county commissioners, and for other purposes. Referred to the select committee on taxation.

By Mr. Walker. Of inhabitants of the counties of Wayne and Washtenaw, praying for an alteration in the constitution, by striking out the word "white." Laid on the table.

By Mr. White. Of one hundred and ten citizens of Washtenaw county, for the right of trial by jury. Laid on the table.

By Mr. Livermore. Of H. Wilder, for payment for services as assistant engineer on the Clinton and Kalamazoo canal. Referred to the committee on internal improvement.

By Mr. Livermore. Of citizens of Oakland county, asking an amendment to the constitution, by expunging from the second article thereof, the word "white." Laid on the table.

By Mr. Cooper. Of James Blaney and John Smithman, for pay for work and labor on the state prison in 1838. Referred to the committee on claims.

By Mr. Bennett. Of Thomas Fitzgerald and others, praying for an amendment to the act incorporating the village of St. Joseph. Laid on the table.

By Mr. Fessenden. Petition and remonstrance of citizens of Macomb county, concerning the dividing line of certain townships in said county. Referred to the committee on towns and counties.

By Mr. Hewitt. Of inhabitants of Washtenaw and Monroe counties, for an alteration in the constitution. Laid on the table.

By Mr. Lothrop. Of colored citizens of this state, for an alteration of the constitution. Laid on the table.

By Mr. Anderson. Of eighty-six inhabitants of Cass county, pray-

ing for an act to abolish the office of township assessors, and for the appointment of county assessors. Referred to the select committee on taxation.

By Mr. Wendell. Of one hundred and twelve inhabitants of Oakland county, asking for legislative action in relation to the Detroit and Pontiac turnpike road. Referred to the committee on banks and incorporations.

By Mr. Walker. Of fifty-two voters of Washtenaw and Wayne, asking for the right of trial by jury for persons claimed as fugitives. Laid on the table.

By Mr. Woodbury. Several petitions of inhabitants of Lenawee county, to expunge the word "white" from the second article of the constitution. Laid on the table.

By Mr. Woodbury. Of inhabitants of Lenawee county, for a reduction in the price of university and school lands, sold prior to the sales of 1841. Referred to the committee on university and school lands.

REPORTS.

Mr. Wing, from the committee on internal improvement, to whom was referred the petition of William Foster and John Parshall, of Isaac Kelly and others, and the claim of Kendall and others, reported the intention of the committee to report a bill, which would obviate the necessity of further reference of these papers, by them, asked leave to be discharged, and that the petitioners have leave to withdraw the same. Discharged and leave granted.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred "A bill to amend an act entitled 'an act for incorporating the borough of Michilimackinac,'" reported the same back with amendments, and the same was referred to the committee of the whole.

Mr. Videtto, from the committee on roads and bridges, to whom was referred the Senate "Bill to extend certain provisions of law relative to the alteration of a certain state road," without amendment, and the same was referred to the committee of the whole.

Mr. Videtto, also, from the same committee, to whom was referred a resolution of inquiry, reported :

That in their opinion no legislation in regard to amending the ex-

isting road laws, can be appropriately had at this time, and that its consideration should be left to a general revision of the laws on that subject. And the committee were discharged therefrom.

Mr. Lothrop, from the select committee on taxation, reported a bill for the assessment and collection of taxes, which was ordered to be printed.

Mr. Lothrop, from the same committee, introduced a bill to abolish fees in criminal cases before justices of the peace, and for other purposes, which was referred to the committee of the whole and ordered printed.

Mr. Dexter, from the select committee to whom was referred the subject of heating the hall, reported the effects of the furnace to be injurious to health, and recommended that it be heated by the stoves, having vessels of water upon them. And the report was adopted and the committee discharged.

The Speaker announced as the committee of conference, on the part of the House, on the bill to abolish the office of state printer, and for other purposes, Messrs. Crary, Woodbury and Gunning.

RESOLUTIONS.

Mr. Norvell offered the following preamble and resolution, which, on his motion, was referred to the committee on ways and means :

Whereas, Owing to the failure of the United States bank of Pennsylvania, and the Morris canal and banking company, the contracting parties with whom was negotiated the five million loan of this state, her finances have become embarrassed, the further prosecution of her public works at present rendered almost hopeless, and what cannot but be regarded as perhaps the most deplorable result that has arisen, or can arise out of her present position, the state has become, for a time, unable to meet her engagements and just liabilities for work already done, and expenses incurred on account of her public works ; but,

Whereas, also, there is no just cause to doubt, or reason to fear, but that the state will, in a short time, recover from her present financial embarrassments, and be enabled to redeem all outstanding warrants and cancel all just demands against the treasury ; therefore,

Resolved by the Senate and House of Representatives of the State

of *Michigan*, That, for themselves and their successors, they pledge the good faith and resources of the state, for the payment, at as early a day as possible, of all outstanding warrants and just demands against the treasury, and that she will feel bound to redeem the said warrants or demands, and to allow interest on the same from the time they may severally have become due, looking for her remedy to those who have, without any fault on her part, brought the state into her present condition, as regards her financial means and measures.

Mr. Fessenden offered the following joint resolution, and, on his motion, it was referred to the committee of the whole, when it should have under consideration the bill on the subject thereof :

Resolved by the Senate and House of Representatives of the State of Michigan, That the state treasurer be, and he is hereby authorized to strike out from all scrip, hereafter re-issued by him, the six per centum of interest.

On motion of Mr. Lamb,

Resolved, That the committee on supplies inquire whether a sufficient quantity of the manual, ordered by this House for the use of the members thereof, has been published, and if so, why they have not been equally distributed.

NOTICES.

Mr. Rice gave notice that, at some future day, he would ask leave to introduce a bill to authorize the county commissioners of the county of Washtenaw, to assess upon the township of Superior, in said county, certain taxes.

Mr. Lamb gave notice that he would, at a future time, ask leave to introduce a bill for the repeal of any and all laws, now in force in this state, authorizing the granting of license for the retail of spiritous liquors.

UNFINISHED BUSINESS.

Mr. Anderson called up the bill to vacate the present county site of the county of Branch, and locate the same at Coldwater, which, on his motion, was made the special order for Friday next.

Mr. Gunning called up his joint resolution from the table, providing for the publication of the laws and joint resolutions in the *Democratic Free Press*, which passed by yeas and nays, as follows :

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Dexter,
Mr. Dort,

Mr. Fessenden,
Mr. Gunning
Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. King,
Mr. Lewis,

Mr. Magoon,
Mr. Preston,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. Woodbury,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Berry,
Mr. Blair,
Mr. Crary,
Mr. French,
Mr. Goodwin,

Mr. Humphrey,
Mr. Lamb,
Mr. Little,
Mr. Littlejohn,
Mr. Mickle,
Mr. Norvell,
Mr. Rice,

Mr. Sanborn,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. White,
Mr. Wing,

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COMMITTEE OF THE WHOLE.

On motion of Mr. Little,

The House resolved itself into committee of the whole, on the bill to exempt certain property from execution or sale for any debt, damages, fine or amercement, Mr. Howell in the chair.

After some time spent thereon, the committee rose, reported progress, and asked leave to sit again, which was granted; when

Mr. Lothrop moved to take a recess until two o'clock, which motion was lost.

Mr. Norvell moved to adjourn till to-morrow morning, at nine o'clock, which was lost.

On motion of Mr. Stuart,

The House adjourned until half past two o'clock.

Afternoon Session.

A quorum being present, the Speaker announced the annual report of the state geologist, which was laid on the table and ordered to be printed.

On motion of Mr. Stuart,

The House again resolved itself into committee of the whole on the bill to exempt certain property from execution or sale for any debt, damages, fine or amercement," Mr. Howell in the chair.

After some time spent thereon, the committee rose and reported the bill with amendments, which were concurred in by the House.

Mr. Gunning offered the following proviso :

“ *Provided*, That the provisions of this act shall only apply to contracts made after the first of March next.”

The vote being taken by yeas and nays, stood as follows :

YEAS.

Mr. Anderson,	Mr. Dort,	Mr. Sanborn,
Mr. Axford,	Mr. Fessenden,	Mr. Scott,
Mr. Babcock,	Mr. French,	Mr. Sheldon,
Mr. Ball,	Mr. Gunning,	Mr. Walker,
Mr. Bennett,	Mr. Hathaway,	Mr. Wendell,
Mr. Berry,	Mr. Hewitt,	Mr. White,
Mr. Bush,	Mr. Magoon,	Mr. Woodbury,
Mr. Chipman,	Mr. Rice,	Mr. Speaker,
Mr. Cooper,		

25

NAYS.

Mr. Annable,	Mr. Humphrey,	Mr. Mickle,
Mr. Arnold,	Mr. King,	Mr. Norvell,
Mr. Blair,	Mr. Lamb,	Mr. Preston,
Mr. Crary,	Mr. Lewis,	Mr. Stuart,
Mr. Dexter,	Mr. Little,	Mr. Smith,
Mr. Goodwin,	Mr. Littlejohn,	Mr. Turner,
Mr. Hanscom,	Mr. Livermore,	Mr. Videtto,
Mr. Hawley,	Mr. Lothrop,	Mr. Wing,
Mr. Howell,		

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The clerk making an error in announcing the result to the Speaker, the Speaker announced the amendment as carried, and the bill, as amended, was ordered to be engrossed.

Pending the discussion of Mr. Gunning's amendment,

Mr. Preston moved an adjournment, which was lost.

On motion of Mr Chipman, there was a call of the House, when the members were all present.

On motion, the House adjourned till to-morrow morning, at nine o'clock.

Thursday, January 27, 1842.

The House met pursuant to adjournment.

The members all present except Mr. Wilson, absent on leave, and Mr. Chipman.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Berry. Of Abram Ogden, David Vanderhoof and seventy other citizens of Berrien county, praying a reduction of the price of university and school lands. Referred to the committee on university and school lands.

By Mr. Bush. Of sundry citizens of Monroe county, relative to the works of internal improvement near the city of Monroe. Referred to the committee on internal improvement.

By Mr. Howell. Of inhabitants of Hillsdale county, asking a repeal of the two-thirds law. Laid on the table.

By Mr. Little. Two petitions from the treasurer and citizens of Saginaw county, asking the passage of an act rendering valid tax titles. Referred to the select committee on taxation.

By Mr. Berry. Of C. H. Nicholson, for the right to build a dam on the St. Joseph. Referred to the committee on roads and bridges.

REPORTS.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act making an appropriation for the improvement of the state salt springs."

Mr. Norvell, from the committee on ways and means, reported back to the House, the petition and papers in the matter of George Davis, accompanied by a communication from the state treasurer, which was ordered printed, and the papers laid on the table.

Mr. Howell, from the select committee on physic and surgery, made a report thereon, which was ordered printed, and introduced a bill to repeal section eight, chapter two, title eight, part first of the revised statutes, which was referred to the committee of the whole.

The following message was announced from the Senate :

SENATE CHAMBER,
Thursday, January 27, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to return to the House, the "Bill making an appropriation for the improvement of the state salt springs," and inform you that the same has been concurred in and passed by the Senate :

Also, to return "A joint resolution relative to the publication of

laws, resolutions," &c., and to inform the House that the Senate have concurred therein.

Also, to inform the House that the Senate have appointed Messrs. Greenly, Fuller and Redfield, as a committee of conference on the part of the Senate, in relation to "A bill to abolish the office of state printer, and for other purposes."

Also, to inform the House, that the Senate have adopted the following resolution :

Resolved, That the secretary of the Senate be permitted hereafter, to transmit messages from the Senate to the House of Representatives, by the hand of a messenger.

S. YORKE AT LEE,
Secretary of the Senate.

UNFINISHED BUSINESS.

Mr. Norvell moved the re-consideration of the vote of yesterday, ordering engrossed the bill to exempt certain property from execution, or sales for any debt, damage, fine or amercement, and the vote was re-considered.

Mr. Norvell then moved that the bill, as amended, be ordered engrossed.

On motion of Mr. Bush, there was a call of the House, when all the members were present except Messrs. Chipman and White.

Mr. Bush moved that the sergeant-at-arms be instructed to bring in the absentees.

Mr. Howell moved that further proceedings in relation to the call of the House be dispensed with.

Mr. Hanscom asked for leave of absence for Mr. Chipman for one day, which was denied.

The question being taken on Mr. Bush's motion, the sergeant-at-arms was instructed to bring in Mr. Chipman, Mr. White having appeared and taken his seat.

Mr. Chipman appearing and taking his seat, the question to engross, on the motion of Mr. Norvell, was taken by yeas and nays, and lost by the following vote :

YEAS.

Mr. Annable,
Mr. Arnold,

Mr. Howell,
Mr. Humphrey,

Mr. Mickle,
Mr. Norvell,

Mr. Berry,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hawley,

Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Livermore,

Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wing,

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NAYS.

Mr. Anderson,
Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Dort,

Mr. Fessenden,
Mr. French,
Mr. Gunning,
Mr. Hathaway,
Mr. Hewitt,
Mr. Lamb,
Mr. Magoon,
Mr. Rice,

Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Woodbury,
Mr. Speaker,

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Mr. Lamb moved a re-consideration of the vote just taken.

Mr. Norvell moved to lay the motion to re-consider on the table, which motion, Mr. Gunning calling for the yeas and nays, was lost, as follows :

YEAS.

Mr. Annable,
Mr. Arnold,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hawley,
Mr. Humphrey,

Mr. Howell,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wing,

25

NAYS.

Mr. Anderson,
Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,

Mr. Dort,
Mr. Fessenden,
Mr. French,
Mr. Gunning,
Mr. Hathaway,
Mr. Hewitt,
Mr. Magoon,
Mr. Rice,

Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Woodbury,
Mr. Speaker,

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The question then recurring on the motion of Mr. Lamb to re-consider, it was carried by yeas and nays as follows :

YEAS.

Mr. Anderson,
Mr. Annable,

Mr. Hathaway,
Mr. Hawley,

Mr. Mickle,
Mr. Norvell,

Mr. Arnold,	Mr. Hewitt,	Mr. Preston,
Mr. Berry,	Mr. Howell,	Mr. Sanborn,
Mr. Blair,	Mr. Humphrey,	Mr. Sheldon,
Mr. Chipman,	Mr. King,	Mr. Stuart,
Mr. Cooper,	Mr. Lamb,	Mr. Smith,
Mr. Crary,	Mr. Lewis,	Mr. Turner,
Mr. Dexter,	Mr. Little,	Mr. Videtto,
Mr. Dort,	Mr. Littlejohn,	Mr. Walker,
Mr. Fessenden,	Mr. Livermore,	Mr. Wendell,
Mr. Goodwin,	Mr. Lothrop,	Mr. Wing,
Mr. Hanscom,	Mr. Magoon,	Mr. Speaker,

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NAYS,

Mr. Axford,	Mr. Bush,	Mr. Scott,
Mr. Babcock,	Mr. French,	Mr. White,
Mr. Ball,	Mr. Gunning,	Mr. Woodbury,
Mr. Bennett,	Mr. Rice,	

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On motion of Mr. Lothrop, the bill and amendments were then committed to a select committee of five.

The Speaker announced the following message from the Executive :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "A joint resolution in relation to the publication of laws and joint resolutions.

JOHN S. BARRY.

Executive Office, January 27, 1842.

A message was announced from the Senate, as follows :

SENATE CHAMBER,
Thursday, January 27, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed to transmit to the House a joint resolution in regard to the act for the regulation of internal improvement, approved March 25, 1840, which the Senate have adopted, and respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,

Secretary of the Senate.

And on motion of Mr. Wing, the rule was suspended, and the resolution passed, which is in the following words :

Resolved by the Senate and House of Representatives of the State of Michigan, That so much of the act for the regulation of internal improvement, approved March 25, 1840, as authorizes any claimant

feeling aggrieved by the decision of the board of appraisement or the board of commissioners, to appeal to the circuit court of the proper county, be and the same is hereby suspended.

Also the following message was announced from the Senate :

SENATE CHAMBER, }
Thursday, January 27, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House, “A bill to amend an act entitled ‘An act to incorporate the village of Marshall,’ and for other purposes,” which has passed the Senate, and in which the concurrence of the House is respectfully asked.

S. YORKE AT LEE,
Secretary of the Senate.

And said bill was referred to the committee on banks and incorporations.

On motion of Mr. Norvell, the House adjourned until half past two o'clock.

Afternoon Session.

There being a quorum present, the Speaker announced as the select committee on the “Bill to exempt certain property from execution or sale for any debt, damages, fines or amercement,” Messrs. Lothrop, Ball, Little, White and Sanborn.

On motion of Mr. Gunning,

The House went into committee of the whole on the “Bill to prohibit the re-issue of treasury notes, and for other purposes ;” Mr. Smith in the chair.

After some time spent thereon, the committee rose and reported the same back with an amendment, to come in at the close of the first section.

The yeas and nays being taken on concurring with the committee of the whole, the same was concurred in by the following vote :

YEAS.

Mr. Annable,	Mr. Humphrey,	Mr. Sanborn,
Mr. Arnold,	Mr. Lamb,	Mr. Stuart,
Mr. Babcock,	Mr. Lewis,	Mr. Smith,
Mr. Bennett,	Mr. Little,	Mr. Turner,
Mr. Crary,	Mr. Livermore,	Mr. Videtto,

Mr. Goodwin,	Mr. Lothrop,	Mr. Walker,	
Mr. Hathaway,	Mr. Mickle,	Mr. Wendell,	
Mr. Hawley,	Mr. Rice,	Mr. Wing,	24

NAYS.

Mr. Anderson,	Mr. Dexter,	Mr. Littlejohn,	
Mr. Axford,	Mr. Dort,	Mr. Magoon,	
Mr. Ball,	Mr. Fessenden,	Mr. Norvell,	
Mr. Berry,	Mr. French,	Mr. Scott,	
Mr. Blair,	Mr. Gunning,	Mr. Sheldon,	
Mr. Bush,	Mr. Hanscom,	Mr. Speaker,	
Mr. Cooper,	Mr. Hewitt,		20

Mr. Littlejohn moved to amend the fourth section by striking out the words "the notes of sound specie paying banks," and inserting "delinquent tax bonds for an amount equal to or exceeding amount of bond ;" during the discussion of which a motion was made to adjourn, and the mover giving way,

Mr. Lothrop asked for and obtained leave of absence for the Speaker until Monday morning next.

Mr. Bush for himself until Monday morning next.

And then the House adjourned till to-morrow morning, at nine o'clock.

Friday, January 28, 1842.

The House met pursuant to adjournment—Mr. Lothrop presiding.

The members were present, except Messrs. Bush, Wilson and the Speaker, on leave.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

Mr. Chipman offered the following resolution :

Resolved, That George Dawson, editor of the Detroit Daily Advertiser, be hereafter prohibited a seat within the bar of this House, for having intentionally reported and published falsely the proceedings of this House, and that the sergeant-at-arms be instructed to enforce this resolution.

Mr. Dexter offered the following resolution, as a substitute :

Resolved, That the reporter be requested to strike out of the proceedings of yesterday, the word "blasphemous," and insert "profane."

Mr. Chipman moved that his resolution lay on the table one day.

And whilst the subject was under consideration, Messrs. Little, Lamb and Stuart asked for and obtained leave to address the House, and the motion being put, the same was lost.

The question recurring on Mr. Dexter's substitute,

On motion of Mr. Norvell, the resolution and substitute were both laid on the table.

Mr. Goodwin asked for and obtained leave of absence, for one day, for the select committee of investigation on the subject of the university fund.

PETITIONS.

By Mr. Humphrey. Memorial of the La Plaisance bay company. Referred to the committee on internal improvement.

By Mr. Anderson. Of Stephen Rudd and others, of Cass county, asking a reduction of the price of university and school lands. Referred to the committee on university and school lands.

By Mr. Turner. Of fifty-one citizens of Shiawassee county, for the passage of a law to make valid tax deeds. Laid on the table.

By Mr. Humphrey. Of W. P. Clark and L. Palmer & Co., for damages in consequence of the location of the Southern railroad. Laid on the table.

By Mr. Ball. Two several petitions of citizens of Lenawee county, praying for the passage of a law in relation to the right of trial by jury. Laid on the table.

By Mr. Bennett. Of Noah Brookfield, for relief. Referred to the committee on university and school lands.

By Mr. Bennett. Of Josiah Pidge, for a reduction in the price of university lands. Referred to the committee on university and school lands.

By Mr. French. Of inhabitants of Eaton county, for the organization of a town. Referred to the committee on towns and counties.

By Mr. Hewitt. Of sundry inhabitants of Washtenaw county, praying for an amendment of the militia law. Referred to the committee on the militia.

By Mr. Hewitt. Of J. B. Hathaway and B. W. Wait and others, of Washtenaw county, praying for a reduction of price of the uni-

versity and school lands. Referred to the committee on university and school lands.

By Mr. Berry. Of inhabitants of Branch county, for a reduction in the price of university and school lands. Referred to the committee on university and school lands.

By Mr. Wing. Of one hundred and eighty-nine inhabitants of Wayne and Monroe counties, for assistance in making the state road from Dearbonville to Monroe, that it may be passable. Referred to the committee on roads and bridges.

By Mr. Howell. Of one hundred and eleven inhabitants of Hillsdale county, for a reduction of the price of school lands sold prior to the sale of 1841. Referred to the committee on university and school lands.

By Mr. Lothrop. Of Franklin Howard and others, citizens of Kalamazoo, purchasers of seminary lands, asking a reduction of the price of the same. Referred to the committee on university and school lands.

By Mr. Lothrop. Of H. G. Wells and others, citizens of Kalamazoo county, praying a reduction in price of university and school lands. Referred to the committee on university and school lands.

The following message was announced from the Senate :

SENATE CHAMBER,
Friday, January 28, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit “A bill concerning executions in justices’ courts, and their service by constables and other officers,” which the Senate have passed, and respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,

Secretary of the Senate.

And the said bill was referred to the committee on the judiciary.

REPORTS.

Mr. Littlejohn, from the committee on the judiciary, reported “A bill for the relief of the township of Cass, in the county of Ionia,” which, on his motion, was made the special order for to-morrow.

Mr. Littlejohn, from the select committee on taxation, to whom were referred sundry petitions for the passage of a law in reference

to the validity of the tax title granted by the auditor general, reported "A bill defining the effect of conveyances of the auditor general in certain cases," which was referred to the committee of the whole.

Mr. Lothrop, from the select committee on taxation, reported that they had had under consideration the petition of A. B. Markam, praying that the state should tax all lands located for salt purposes, and had come to the unanimous conclusion that the prayer of the petitioner should not be granted, and asked to be discharged from the further consideration of the same; and the committee were discharged accordingly.

RESOLUTIONS.

On motion of Mr. Dort,

Resolved, That a select committee of three be appointed, to investigate the accounts, receipts and disbursements of the late state treasurer, and report whether specie and other good funds that have been received into the treasury, have not been exchanged for state scrip and other funds of less value, without crediting the premium received therefor, to the treasury; and that they have power to send for persons and papers.

And the Speaker announced Messrs. Dort, Lamb and Goodwin, as said committee.

On motion of Mr. Norvell,

Resolved, That the committee on banks and incorporations inquire into the expediency of authorizing the removal of the bank of St. Clair to the city of Detroit.

NOTICES.

Mr. Pivermore gave notice that he should, at some future day, ask leave to introduce a bill to incorporate the Baptist convention of the state of Michigan.

Mr. Fessenden gave notice that, at an early day, he will ask leave to introduce a bill to authorize the county commissioners of the county of Macomb, to remit certain taxes assessed in 1839.

TABLE.

Mr. Turner moved that the resolution of Mr. Chipman, for expelling from the House the reporter of the Daily Advertiser, and the substitute therefor, offered by Mr. Dexter, laid on the table this morning, be taken up.

Discussion arising thereon, Mr. Wing called for the previous question, which was ordered; and the question being on considering the resolution and substitute, the motion was lost, by yeas and nays, as follows :

YEAS.

Mr. Annable,	Mr. Howell,	Mr. Mickle,	
Mr. Dexter,	Mr. Lamb,	Mr. Smith,	
Mr. Fessenden,	Mr. Little,	Mr. Turner,	9

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,	
Mr. Arnold,	Mr. Gunning,	Mr. Sanborn,	
Mr. Axford,	Mr. Hanscom,	Mr. Scott,	
Mr. Babcock,	Mr. Hathaway,	Mr. Sheldon,	
Mr. Ball,	Mr. Hawley,	Mr. Stuart,	
Mr. Bennett,	Mr. Hewitt,	Mr. Videtto,	
Mr. Berry,	Mr. Humphrey,	Mr. Walker,	
Mr. Blair,	Mr. King,	Mr. Wendell,	
Mr. Chipman,	Mr. Lewis,	Mr. White,	
Mr. Cooper,	Mr. Littlejohn,	Mr. Wing,	
Mr. Dort,	Mr. Lothrop,	Mr. Woodbury,	
Mr. French,	Mr. Norvell,		35

UNFINISHED BUSINESS.

The bill to prohibit the re-issue of treasury notes, and for other purposes, was announced and the House proceeded to the consideration of the amendment offered yesterday by Mr. Littlejohn, to strike out "the notes of specie paying banks," and insert "delinquent tax bonds, for an amount equal to or exceeding amount of bond," when Mr. Gunning moved to lay the same on the table until to-morrow, which motion was lost.

Mr. Norvell offered the following ammendment, to come in after the word "dues," in third line of fourth section :

"*Provided*, That the state treasurer be and he is hereby directed to receive delinquent tax bonds as they become due, in payment of all taxes receivable at the state treasury so far as may be necessary to reimburse the amount borrowed from the delinquent tax fund."

Whereupon, Mr. Littlejohn withdrew his amendment, and the question being on the amendment offered by Mr. Norvell,

The House adjourned until half past two o'clock.

Afternoon Session.

There being a quorum present, the Speaker announced the following message from the Senate :

SENATE CHAMBER,
Friday, January 28, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to transmit to the House, “A bill to reduce the price of university and school lands, and for other purposes,” which the Senate have passed, and respectfully request the concurrence of the House therein.

S. YORKE AT LEE,
Secretary of the Senate.

And said bill was referred to the committee on university and school lands.

Mr. Chipman moved that leave be granted the committee of investigation of university fund to appoint a clerk. Granted.

The House then again renewed the “Bill to prohibit the re-issue of treasury notes,” when

Mr. Norvell offered to amend his amendment, by striking out therefrom “borrowed from the delinquent tax fund,” and inserting in lieu thereof, “transferred from the delinquent tax fund to the general fund,” and after discussion thereon,

On motion of Mr. Norvell, the bill and amendments were laid upon the table.

COMMITTEE OF THE WHOLE,

On motion of Mr. Stuart,

The House resolved itself into committee of the whole on the “Bill to amend part second, title fourth, chapter third of the revised statutes;” Mr. King in the chair.

After some time spent thereon, the committee rose and reported the same back with sundry amendments, which were concurred in by the House ; and,

On motion of Mr. Stuart, the word “family” was stricken out in first section, and “children” inserted ; and,

On motion of Mr. Norvell, the bill as amended was ordered to be engrossed.

SPECIAL ORDER.

The Speaker announced as the special order, the “Bill to vacate the present seat of justice for the county of Branch, and establish the same at the village of Coldwater,” and the House resolved itself into committee of the whole on said bill ; Mr. Gunning in the chair.

After some time spent thereon, the committee rose and reported the same back to the House without amendment; and,

On motion of Mr. Goodwin, the rule was suspended and the bill read the third time and passed.

On motion of Mr. Goodwin,

The House resolved itself into committee of the whole on the "Bill to repeal the charters of certain banks, and for other purposes;" Mr. Annable in the chair.

After some time spent thereon, the committee rose, reported progress and asked and obtained leave to sit again.

Mr. King, from the committee on enrolment, now reported as correctly engrossed, the "Bill to amend part second, title fourth, chapter third of the revised statutes;" and,

On motion of Mr. Howell, the rule was suspended, the bill read a third time and passed.

On motion of Mr. Howell, the title of the bill was amended to read as follows:

"An act to amend the revised statutes in relation to the inventory and collection of the effects of deceased persons."

Mr. Little, from the select committee to whom was referred the bill to exempt certain property from execution or sale for any debt, damages, fine or amercement, announced that the committee were prepared to report; whereupon,

On motion of Mr. Stuart, they were permitted to do so, when Mr. Little reported substitute for all after the title of the bill; which,

On motion of Mr. Fessenden, was laid on the table and ordered to be printed, and,

On motion of Mr. Crary, made the special order of the day for Monday next.

On motion of Mr. Lamb,

The House adjourned till to-morrow morning, at nine o'clock.

Saturday, January 29, 1842.

The House met pursuant to adjournment, Mr. Lothrop presiding.

The members were present except Messrs. Bush, Wilson and the Speaker, absent on leave, and Messrs. Arnold, Hawley, Hewitt and Livermore.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

Mr. Fessenden asked for and obtained leave of absence for Mr. Arnold until Monday next.

Mr. Howell for Mr. Livermore, the same.

Mr. Rice for Mr. Hewitt, the same.

Mr. Videtto for Mr. Hawley, the same.

PETITIONS.

By Mr. Norvell. Of Arthur Edwards. Referred to the committee on ways and means.

By Mr. Turner. Of citizens of the township of Owasso, in Shiawassee county, against the alteration of the boundary line of certain townships therein named. Referred to the committee on towns and counties.

By Mr. Howell. Of honorable Henry A. Turner and others, of Hillsdale county, against repealing any portion of the revised statutes, in relation to the practice of physic and surgery. Laid on the table.

By Mr. Stuart. Of Benjamin Commins and others, citizens of Kalamazoo county, for relief in relation to a certain lease of school lands. Referred to the committee on university and school lands.

By Mr. Hathaway. Of inhabitants of the townships of Orange and Warren, in Macomb county, for an alteration in said townships. Referred to the committee on towns and counties.

By Mr. Turner. Of citizens of Shiawassee county, for a state road. Referred to the committee on roads and bridges.

By Mr. Hanscom. Of legal voters of Oakland county, for right of trial by jury for persons claimed as fugitives, &c. Laid on the table.

By Mr. Fessenden. Claim of Parshall & Foster, for damages on the Clinton and Kalamazoo canal. Referred to the committee on claims.

By Mr. Anderson. Of forty-seven inhabitants of the town of Cass, praying for the abolishment of the office of township assessors, and substituting one or more county assessors. Laid on the table.

MOTIONS.

Mr. Fessenden, pursuant to notice, obtained leave to introduce a

bill to authorize the county commissioners of Macomb county, to remit certain taxes assessed in 1839, which, together with certain petitions, was referred to the select committee on taxation.

On motion of Mr. Littlejohn, the bill to provide for the assessment and collection of taxes, was taken from the general order, and made the special order for Tuesday next, and the bill to abolish fees in criminal cases before justices of the peace, and for other purposes, also the special order for Tuesday next.

On motion of Mr. Fessenden, the bill to authorize a certain office to loan a certain sum of money to the trustees of the Albion seminary, was taken from the general order and made the special order of the day for Wednesday next.

On motion of Mr. Anderson, the joint resolution to amend section four, article four of the constitution, was taken from the table and made the special order for Wednesday next.

The following message was announced from the Senate :

SENATE CHAMBER,
Saturday, January 29, 1842. }

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate, to transmit to the House of Representatives, "A joint resolution relative to treasury notes," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

S. YORKE AT LEE,
Secretary of the Senate.

And the said joint resolution was referred to the committee on ways and means.

The following message was announced from the Executive :

To the Senate and House of Representatives :

I herewith transmit a copy of a communication to me from the secretary of war, in which I am requested to bring to your consideration, the subject of granting jurisdiction to the United States, of any tract that may be purchased for the purpose of erecting thereon a fortification for the defence of Detroit. For an expression of my views on this proposition, I respectfully refer you to that portion of my annual message which relates to the same subject.

JOHN S. BARRY.

Executive Office, January 29, 1842.

And the said message and accompanying communication, were referred to the committee on federal relations.

The following message was also announced from the Executive :
To the House of Representatives :

I herewith transmit for the use of, both branches of the legislature, certain joint resolutions of the general assembly of the state of Alabama, in relation to the distribution of the proceeds of the public lands, and to grant pre-emption rights to settlers.

JOHN S. BARRY.

Executive Office, January 29, 1842.

And the message and accompanying papers were ordered printed.

On motion of Mr. Videtto, a joint resolution requesting the President of the United States to cause the re-survey of certain townships of land, was passed and transmitted to the Senate.

NOTICES.

Mr. Bennett gave notice that he would at some future day, ask leave to introduce a bill to amend chapter second, title second, part first of the revised statutes.

UNFINISHED BUSINESS.

The House again resolved itself into committee of the whole on the "Bill to repeal the charters of certain banks."

After some time spent thereon, the committee rose and reported progress, and obtained leave to sit again.

On motion of Mr. Stuart, the vote granting leave to sit again, was re-considered ; when,

Mr. Preston offered a substitute for the whole bill, which was ordered to be printed.

On motion of Mr. Stuart,

Resolved, That this House will now adjourn until Monday morning next, at nine o'clock, and that the committee on supplies, in the mean time, procure the cleansing of this hall.

And the House adjourned.

Monday, January 31, 1842.

The House met pursuant to adjournment.

Prayer by the Rev. Bishop McCoskry.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Chipman. Of inhabitants of St. Joseph county, for a repeal of the law creating the board of county commissioners. Laid on the table.

By Mr. Livermore. Of citizens of Oakland county; relative to the Clinton and Kalamazoo canal. Referred to the committee on internal improvement.

By Mr. Chipman. Of C. Bronson and others, for the passage of a law to require persons to secure their own lands by a proper fence. Referred to the committee on the judiciary.

By Mr. Fessenden. Of the citizens of Oakland county, asking a repeal of the appraisal law. Laid on the table.

By Mr. Rush. Of sundry inhabitants of Livingston county, for the abolishment of the office of county commissioner. Laid on the table.

By Mr. Little. Of eighty-four citizens of Saginaw county, praying for a repeal of the law requiring the return of non-resident taxes to the auditor general. Laid on the table.

By Mr. Lewis. Claim of J. Snow. Referred to the committee on claims.

By Mr. Wilson. Of inhabitants of Lenawee county, against the exemption law. Laid on the table.

By Mr. Videtto. Petition and affidavit of Hiram Thompson, asking the passage of a law to authorize the conveyance of certain land.

By Mr. Wing. Of one hundred and twelve citizens of Monroe county, praying for an extension of the Southern railroad to the mouth of the ship canal. Referred to the committee on internal improvement.

By Mr. Videtto. Of fifty-four citizens of Calhoun county, for the encouragement of the growth of silk. Referred to the committee on agriculture and manufactures.

REPORTS.

Mr. Norvell, from the committee on ways and means, reported back the joint resolution from the Senate, relative to treasury notes, without recommending any special action thereon; and the same being under consideration,

Mr. Howell moved to strike out the following words: "and also to

stamp thereon the word 're-issued,' before paying the same out of the treasury," when,

On motion of Mr. Lamb, the resolution was laid on the table.

Mr. Howell, from the minority of the committee on the judiciary, reported "A bill in relation to the estate of Joseph Salato, late of Calhoun county, deceased," which was referred to the committee of the whole.

Mr. Wilson, from the committee on ways and means, reported back the following joint resolution from the Senate, which was concurred in :

Resolved by the Senate and House of Representatives of the State of Michigan, That the state treasurer be, and he is hereby authorized to enter into a negotiation and final settlement, with all or any persons in any manner liable to the state for the payment of any moneys, loaned from any state fund, to the bank of Gibraltar : *Provided,* No money shall be received on said settlement for a sum above its market rate, and no surety shall be released, except upon a full adjustment of his entire liability.

Mr. Lothrop, from the select committee on taxation, reported "A bill to provide for the election of three trustees in each township, and for other purposes," which was referred to the committee of the whole and ordered to be printed.

Mr. White, from the minority of the select committee, to whom was referred the bill to exempt certain property from execution or sale for any debt, damages, fine or amercement, made a report, which was laid on the table.

Mr. French, from the committee on agriculture and manufactures, to whom was referred two several petitions for the better security of sheep against dogs, having had the same under consideration, reported a bill for the restraint of dogs, which was referred to the committee of the whole.

Mr. Stuart, from the committee on the judiciary, to whom was referred the Senate bill concerning executions from justices' courts and their service by constables and other officers, asked leave to report the same back to the House, and recommend that it do not pass, and that the committee be discharged from its further consideration.

Which report, with the bill, on motion of Mr. Goodwin, was laid on the table.

Mr. Stuart, from the same committee, also asked leave to report back, without amendment, "A bill to exempt from taxation, lands used by the state of Michigan for the purpose of railroads and canals."

Also, "A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes."

Also, "A bill to amend an act entitled 'an act to organize courts of special sessions,' approved March 19, 1840."

And the said bills were respectively referred to the committee of the whole.

Mr. Norvell reported a substitute for the bill to provide for the redemption of state treasury notes, and for other purposes, which was ordered to be printed.

Mr. Turner, from the committee on ways and means, reported "A bill for the relief of George Campau," which, on his motion, was referred to a committee of three, consisting of Messrs. Turner, Lamb and King.

A message was announced from the Senate, by their messenger, Horace S. Roberts, returning to the House "A bill to vacate the present seat of justice for the county of Branch, and establish the same at the village of Coldwater," and informing the House that the Senate had concurred therein, and duly passed the same.

And the said bill was ordered to be enrolled.

Also, a message from the Senate, returning the joint resolution requesting the President of the United States to cause the re-survey of certain townships of land, in which the Senate have concurred; and the joint resolution in relation to the amendment of the constitution, with an amendment, in which the concurrence of the House is respectfully asked.

MOTIONS AND NOTICES.

On motion of Mr. Lothrop,

The resolution offered to this House on Friday last, asking the expulsion of George Dawson from the bar of this House, and the matter out of which said resolution grew, was referred to a select committee of three, to report to this House the facts in the case, and to

recommend to this House such action in the premises as is due to this House and the mover of said resolution.

Mr. Crary gave notice that he would ask leave, on some future day, to introduce a bill to confirm a contract made by the auditor general and attorney general, with George Ketchum.

Mr. Chipman gave notice that leave will be asked at an early day, to introduce a bill to confirm the acts of the county commissioners of the county of St. Joseph, in raising and levying a tax to build a court house in said county.

Mr. Bennett gave notice that he would, at some future day, ask leave to introduce a bill to amend an act entitled "An act to amend the revised statutes, in relation to primary schools," approved April 1, 1840.

Mr. Bennett also gave notice that he would, at an early day, ask leave to introduce a bill to amend chapter third, title second, part first of the revised statutes.

Mr. Wing gave notice that on to-morrow he would ask leave to introduce a bill to amend the charter of the city of Monroe.

Mr. Stuart gave notice that to-morrow leave would be asked to introduce a bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo.

SPECIAL ORDER.

On motion of Mr. Crary, the consideration of the special order of the day was postponed until Thursday next.

On motion of Mr. Lothrop, the House resolved itself into committee of the whole on the "Bill to abolish the office of county commissioners; and for other purposes," Mr. King in the chair.

After some time spent thereon, the committee rose and reported the bill back to the House with an amendment, which was concurred in by the House; when,

Mr. Anderson moved to amend by inserting the following, which was lost:

"The provisions of this bill shall not apply to the county of Wayne, or any other county; where the people shall, by a vote, direct to the contrary at their next township meetings."

Mr. Axford moved to strike out the words "fifty cents," in the

fourth section, which was decided by yeas and nays in the affirmative, as follows :

YEAS.

Mr. Annable,	Mr. Hewitt,	Mr. Magoon,
Mr. Axford,	Mr. Humphrey,	Mr. Norvell,
Mr. Babcock,	Mr. Lamb,	Mr. Scott,
Mr. Crary,	Mr. Lewis,	Mr. Walker,
Mr. Dort,	Mr. Little,	Mr. White,
Mr. Goodwin,	Mr. Livermore,	Mr. Wing,
Mr. Gunning,	Mr. Lothrop,	Mr. Speaker,
Mr. Hanscom,		

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NAYS.

Mr. Anderson,	Mr. Hathaway,	Mr. Stuart,
Mr. Bennett,	Mr. Howell,	Mr. Smith,
Mr. Blair,	Mr. King,	Mr. Turner,
Mr. Bush,	Mr. Littlejohn,	Mr. Videtto,
Mr. Dexter,	Mr. Mickle,	Mr. Wendell,
Mr. Fessenden,	Mr. Preston,	Mr. Wilson,
Mr. French,	Mr. Sanborn,	

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On motion of Mr. Annable, the vote on striking out the words "fifty cents," was re-considered.

The question being on striking out the words "fifty cents," it was decided in the negative :

YEAS.

Mr. Axford,	Mr. Hewitt,	Mr. Norvell,
Mr. Babcock,	Mr. Humphrey,	Mr. Scott,
Mr. Crary,	Mr. Lamb,	Mr. Walker,
Mr. Dort,	Mr. Little,	Mr. White,
Mr. Goodwin,	Mr. Livermore,	Mr. Wing,
Mr. Gunning,	Mr. Lothrop,	Mr. Speaker,
Mr. Hanscom,	Mr. Magoon,	

20

NAYS.

Mr. Annable,	Mr. Hathaway,	Mr. Sanborn,
Mr. Ball,	Mr. Howell,	Mr. Sheldon,
Mr. Bennett,	Mr. King,	Mr. Stuart,
Mr. Blair,	Mr. Lewis,	Mr. Smith,
Mr. Bush,	Mr. Littlejohn,	Mr. Turner,
Mr. Dexter,	Mr. Mickle,	Mr. Videtto,
Mr. Fessenden,	Mr. Preston,	Mr. Wendell,
Mr. French,	Mr. Rice,	Mr. Wilson,

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Mr. Goodwin moved to amend by inserting the following :

"The said boards may fix their own compensation, not exceeding one dollar and fifty cents per day."

The question being on the adoption of the above amendment, it was decided in the negative, as follows :

YEAS.

Mr. Axford,	Mr. Hanscom,	Mr. Norvell,
Mr. Babcock,	Mr. Hathaway,	Mr. Scott,
Mr. Crary,	Mr. Humphrey,	Mr. Sheldon,
Mr. Dort,	Mr. King,	Mr. Wendell,
Mr. Goodwin,	Mr. Livermore,	Mr. Speaker,
Mr. Gunning,	Mr. Magoon,	

17

NAYS.

Mr. Anderson,	Mr. Hewitt,	Mr. Rice,
Mr. Annable,	Mr. Howell,	Mr. Sanborn,
Mr. Ball,	Mr. Lamb,	Mr. Stuart,
Mr. Bennett,	Mr. Lewis,	Mr. Smith,
Mr. Blair,	Mr. Little,	Mr. Turner,
Mr. Bush,	Mr. Littlejohn,	Mr. Walker,
Mr. Dexter,	Mr. Lothrop,	Mr. White,
Mr. Fessenden,	Mr. Mickle,	Mr. Wilson,
Mr. French,	Mr. Preston,	Mr. Wing,

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Mr. Gunning moved to amend by inserting the following :

Provided, The provisions of this bill shall not apply to the county of Wayne, unless the electors of said county shall accept it by a majority of the votes to be cast at the next annual township meeting, nor until the law shall be accepted by a majority of the electors of said county.

The question being on the adoption of the above amendment, it was decided in the negative, as follows :

YEAS.

Mr. Anderson,	Mr. Hanscom,	Mr. Sanborn,
Mr. Babcock,	Mr. King,	Mr. Scott,
Mr. Dexter,	Mr. Livermore,	Mr. Smith,
Mr. Dort,	Mr. Rice,	Mr. White,
Mr. Gunning,		

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NAYS.

Mr. Annable,	Mr. Hathaway,	Mr. Preston,
Mr. Axford,	Mr. Hewitt,	Mr. Sheldon,
Mr. Ball,	Mr. Howell,	Mr. Stuart,
Mr. Bennett,	Mr. Humphrey,	Mr. Turner,
Mr. Blair,	Mr. Lewis,	Mr. Videtto,
Mr. Bush,	Mr. Little,	Mr. Walker,
Mr. Crary,	Mr. Littlejohn,	Mr. Wendell,
Mr. Fessenden,	Mr. Lothrop,	Mr. Wilson,
Mr. French,	Mr. Magoon,	Mr. Wing,
Mr. Goodwin,	Mr. Mickle,	Mr. Speaker,

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Mr. King offered the following amendment, which was adopted :

And in the county of Michillimackinac by the supervisor of the

township of Holmes, and the two oldest justices of the peace, in office, in said county.

Mr. Lamb moved to amend by striking out the words "not to exceed, in any one year, 15 days," which was decided in the negative, as follows :

YEAS.

Mr. Arnold,
Mr. Blair,
Mr. Crary,
Mr. Fessenden,
Mr. Goodwin,
Mr. Hanscom,

Mr. Hathaway,
Mr. Howell,
Mr. Humphrey,
Mr. Lamb,
Mr. Livermore,
Mr. Magoon,

Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Wing,

17

NAYS.

Mr. Anderson,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Bush,
Mr. Dexter,
Mr. Dort,
Mr. French,
Mr. Gunning,

Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Rice,

Mr. Sanborn,
Mr. Stuart,
Mr. Videtto,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Speaker,

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Mr. Lamb moved further to amend by inserting the following, which was lost :

Provided, The legislature of this state shall not continue in session over sixty days in any one year.

And said bill was ordered to a third reading.

A message was received from the executive, accompanied with certain resolutions transmitted from the state of Georgia, which were referred to the committee on federal relations, and ordered printed.

On motion of Mr. Lothrop, the House adjourned to half past two o'clock, P. M.

Afternoon Session.

The Speaker announced as the select committee on the motion of Mr. Lothrop, of this morning, respecting reference of the resolution on the table of Mr. Chipman, relative to the seat of George Dawson, as reporter, Messrs. Lothrop, Hanscom and Fessenden.

Mr. Livermore asked and obtained further leave of absence for Mr. Arnold until to-morrow.

COMMITTEE OF THE WHOLE.

The House resolved itself into committee of the whole on the general order; Mr. Berry in the chair.

After some time spent thereon, the committee rose and reported the following Senate bills with amendments:

"A bill authorizing the purchase of land to be attached to the county poor house," with the amendment to strike out all after the enacting clause, which amendment was concurred in by the House.

"A bill to amend an act entitled 'An act to incorporate the village of Niles,' and the act or acts amendatory thereto."

And the amendments to the latter bill were concurred in, and the question being put on the passage of the bill, it was lost, by the following vote:

YEAS.

Mr. Babcock,
Mr. Bush,
Mr. Cooper,
Mr. Fessenden,
Mr. Goodwin,
Mr. Gunning,

Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Lewis,

Mr. Lothrop,
Mr. Preston,
Mr. Scott,
Mr. Wendell,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Axford,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Crary,
Mr. Dexter,
Mr. French,

Mr. Hathaway,
Mr. Hewitt,
Mr. Littlejohn,
Mr. Livermore,
Mr. Magoon,
Mr. Mickle,
Mr. Norvell,
Mr. Rice,
Mr. Sanborn,

Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Walker,
Mr. White,
Mr. Wilson,
Mr. Woodbury,

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Mr. Goodwin moved to reconsider the last vote; and,

On motion of Mr. Norvell, the motion to reconsider was laid upon the table.

Mr. King, from the committee on enrolment, reported as correctly enrolled the "Bill to abolish the office of county commissioner, and for other purposes;" and the same was read the third time and passed, by yeas and nays as follows:

YEAS.

Mr. Axford,
Mr. Babcock,
Mr. Ball,

Mr. Hewitt,
Mr. Howell,
Mr. Lewis,

Mr. Sheldon,
Mr. Stuart,
Mr. Smith,

Mr. Bennett,	Mr. Littlejohn,	Mr. Turner,
Mr. Berry,	Mr. Livermore,	Mr. Videtto,
Mr. Blair,	Mr. Lothrop,	Mr. Walker,
Mr. Bush,	Mr. Magoon,	Mr. Wendell,
Mr. Cooper,	Mr. Mickle,	Mr. White,
Mr. Dexter,	Mr. Preston,	Mr. Wilson,
Mr. Fessenden,	Mr. Rice,	Mr. Woodbury,
Mr. French,	Mr. Sanborn,	Mr. Speaker,
Mr. Hathaway,		

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Lamb,
Mr. Annable,	Mr. Gunning,	Mr. Norvell,
Mr. Crary,	Mr. Humphrey,	Mr. Scott,
Mr. Dort,	Mr. King,	

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On motion of Mr. Dexter,

The House resolved itself into committee of the whole on the "Bill for the relief of the township of Cass, in the county of Ionia;" Mr. White in the chair.

After going through the same, the committee rose and reported the same back to the House without amendment; and,

On motion of Mr. Goodwin, the bill was read the third time and passed.

On motion of Mr. Bush,

The committee of the whole were discharged from the further consideration of the "Bill granting certain claims;" and the same was taken up by the House.

Mr. Bush moved to fill the first blank with one hundred and forty-one dollars and ninety-seven cents.

Mr. Hanscom moved to strike out all after the enacting clause, when, after discussion thereon,

Mr. Bush moved to lay the bill on the table, which motion was lost.

Mr. Fessenden moved an indefinite postponement of the bill, which was carried.

MESSAGES FROM THE SENATE.

A message was received from the Senate, by their messenger, Horace S. Roberts, transmitting to the House "A bill to require an annual settlement with the state, of certain state officers and agents, and for other purposes," which the Senate have passed, and respectfully asking the concurrence of the House therein.

Also, returning to the House "A bill to amend part second, title

fourth, chapter third of the revised statutes," and informing the House that the Senate have concurred therein, and duly passed the same.

Also, transmitting to the House "A bill to authorize the overseers of highways of the town of Cambridge, county of Lenawee, to make new return, and for other purposes," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And the bill to require an annual settlement with the state, of certain state officers and agents, and for other purposes, was referred to the committee on ways and means.

The bill to amend part second, title fourth, chapter third of the revised statutes, was ordered to be enrolled.

And the bill to authorize the overseers of highways of the town of Cambridge, county of Lenawee, to make new returns, and for other purposes, was referred to the committee on the judiciary.

Also, a message from the Senate, transmitting to the House "A bill to provide for the sale of certain lands to the persons therein named."

Also, "A joint resolution authorizing the state treasurer to convert into available means, sundry small amounts of uncurrent notes."

Also, "A bill to prevent illegal banking," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And the bill to provide for the sale of certain lands to the persons therein named, was referred to the committee on university and school lands.

The joint resolution authorizing the state treasurer to convert into available means, sundry small amounts of uncurrent notes, was referred to the committee on ways and means.

And the bill to prevent illegal banking, was referred to the committee on banks and incorporations.

The amendment of the Senate, to the joint resolution in relation to the amendment of the constitution, was concurred in, and the resolution ordered to be enrolled.

On motion of Mr. Turner,

The House adjourned till to-morrow morning, at nine o'clock.

Tuesday, February 1, 1842.

The House met pursuant to adjournment.

The members were all present.

Prayer by the Rev. Bishop McCoskry.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Woodbury. Of citizens of Lenawee county, against reducing the price of school land. Referred to the committee on university and school lands.

By Mr. Wilson. Of citizens of Lenawee county, to amend the primary school law. Referred to the committee on education.

By Mr. Wilson. Of citizens of Lenawee county, in favor of the botanic system. Laid on the table.

By Mr. Cooper. Of inhabitants of Jackson county, for an alteration in the state road, from the junction in Lenawee county, to Marshall. Referred to the committee on roads and bridges.

By Mr. Hewitt. Three several petitions of citizens of Ypsilanti, on university and school lands. Referred to the committee on university and school lands.

By Mr. Hewitt. Of John Van Fossen, touching a claim of said Van Fossen. Referred to the committee on claims.

By Mr. Hewitt. Of sundry inhabitants of Ypsilanti, praying for relief from contract for purchase of school lands. Referred to the committee on university and school lands.

By Mr. Livermore. Of citizens of Oakland county, asking a repeal of the appraisal law. Laid on the table.

By Mr. Humphrey. Claim of Ira B. Grosvenor, for services before investigating committee of 1839. Referred to the committee on claims.

By Mr. Scott. Of the city of Detroit, for payment for making pavement in front of railroad depot. Referred to the committee on claims.

By Mr. Hanscom. Of W. W. Fenton and eighty others, for a state road from Pontiac, in Oakland county, to Fentonville in Genesee county. Referred to the committee on roads and bridges.

By Mr. Hanscom. Of A. S. Williams and others, for the passage

of a law authorizing B. P. Mason to build a dam across Shiawassee river. Referred to the committee on the judiciary.

REPORTS.

Mr. Norvell, from the committee on ways and means, to whom was referred the joint resolution from the Senate, authorizing the state treasurer to convert into available means, sundry small amounts of uncurrent notes, reported the same back with an amendment, to strike out of the third line the words, "by and with the consent," and insert "with the concurrence;" which amendment was concurred in, and the resolution read a third time and passed.

Mr. Norvell, also, from the committee on ways and means, to whom was referred the bill from the Senate, to require an annual settlement with the state, of certain state officers and agents, and for other purposes, reported the same back with an amendment, to come in as an additional section, as follows :

"Sec. 5. The said board shall make a report, annually, to the legislature, of all their proceedings under this act."

And the amendment was concurred in by the House, the rule suspended, and the bill read a third time and passed.

Mr. King, from the committee on enrollment, reported as correctly enrolled, "An act to vacate the present seat of justice of the county of Branch, and to establish the same at the village of Coldwater."

"An act to amend the revised statutes in relation to the inventory and collection of the effects of deceased persons."

And "A joint resolution requesting the President of the United States to cause the re-survey of certain townships of land."

Mr. Goodwin, from the committee on banks and incorporations, reported "A bill authorizing the removal of the bank of St. Clair to the city of Detroit," and the rule was suspended and the said bill passed.

Mr. Goodwin, also, from the same committee, to whom had been referred the bill from the Senate to amend an act entitled an act to incorporate the village of Marshall, and for other purposes, reported the same back with an amendment, to come in as

"Sec. 30. The said village, by a vote for that purpose at any regular meeting of the electors thereof, may raise any sum of money not exceeding one half of one per cent on the assessment of said vil-

lage; the same to be imposed and collected in the same manner as the other taxes of said village. Each ward in said village shall, for all street purposes, be a road district, and all the money raised in any ward, for highway and street purposes, shall be expended in the ward where it was raised."

And the said amendment was concurred in, the rule suspended and the bill passed.

Mr. Goodwin, also, from the same committee, reported back the petition of sundry citizens of Lenawee county, for an extension of the powers of the receiver of the bank of Manchester, and requested that the same be referred to the committee of the whole. Reference accordingly.

Mr. Goodwin, also, from the same committee, reported back the petition of W. W. Dean and others, relative to specie payments, and, on his motion, the same was laid on the table.

Mr. Lothrop, from the select committee on taxation, reported back the bill to authorize the county commissioners of Macomb county to remit certain taxes assessed in 1839, without amendment, and the same was referred to the committee of the whole.

Mr. Wing, pursuant to notice, obtained leave to introduce "A bill to amend the charter of the city of Monroe," which was referred to the committee on banks and incorporations.

Mr. Lamb, pursuant to notice, obtained leave to introduce "A bill to abolish the license law," which was referred to the committee on the judiciary.

Mr. Stuart, pursuant to notice, obtained leave to introduce "A bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo," which was referred to the committee of the whole.

On motion of Mr. Annable,

The House took from the table the report of the state geologist, and referred the same to a select committee of three.

On motion of Mr. Norvell,

The bill to prohibit the re-issue of treasury notes, and for other purposes, was taken from the table, referred to the committee of the whole, and made the special order for to-morrow.

On motion of Mr. Livermore,

The House resolved itself into committee of the whole on the "Bill

to amend chapter eight, title fourth, part third of the revised statutes, entitled the proceedings for the support and regulation of mills;" Mr. Chipman in the chair.

After going through the same, the committee rose and reported the same back to the House, with the substitute therefor, and recommending the passage of the same; and the substitute was concurred in, the rule suspended and the bill passed.

Mr. Hanscom, from the committee on revision, reported back to the House as correct, "A bill to amend chapter eighth, title fourth, part third of the revised statutes, entitled 'of proceedings for the support and regulation of mills.'"

RESOLUTIONS.

Mr. Norvell submitted the following resolution, which, on his motion was referred to the committee on federal relations:

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators in congress be instructed, and our representative requested, to use their best exertions to obtain the passage of a bill providing for the payment of certain companies of Michigan militia, called into service in 1838, to enforce and maintain the neutral obligations of the United States.

NOTICES.

Mr. Lamb gave notice that he would, on a future day, ask leave to introduce a bill incorporating the farmers' association of Dryden.

Mr. Cooper gave notice that at some future day he would ask leave to bring in a bill to incorporate the village of Jackson.

Mr. Howell called for the consideration of the motion of yesterday to reconsider the vote in relation to the bill relative to the village of Niles.

On motion of Mr. Lothrop, the same lies on the table.

On motion of Mr. Howell,

The House resolved itself into committee of the whole on the "Bill to repeal section eight, chapter second, title eighth, part first of the revised statutes;" Mr. Wilson in the chair.

After some time spent thereon, the committee rose and reported progress; and the question being on discharging the committee,

The House adjourned to half past two o'clock, P. M.

Afternoon Session.

There being a quorum present, the Speaker announced the "Bill to repeal section eight, chapter second, title eighth, part first of the revised statutes," with pending amendments, as being under consideration when the House adjourned.

Mr. Norvell called for the previous question, which was not sustained.

Mr. Little then moved to postpone the further consideration of the same until after the 16th of February next.

And Mr. Hewitt calling for the yeas and nays, the motion was lost by the following vote :

YEAS.

Mr. Annable,	Mr. Hathaway,	Mr. Norvell,	
Mr. Arnold,	Mr. King,	Mr. Smith,	
Mr. Bennett,	Mr. Lewis,	Mr. Turner,	
Mr. Crary,	Mr. Little,	Mr. Wendell,	
Mr. French,	Mr. Littlejohn,		14

NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Scott,	
Mr. Axford,	Mr. Hewitt,	Mr. Sheldon,	
Mr. Babcock,	Mr. Howell,	Mr. Stuart,	
Mr. Ball,	Mr. Humphrey,	Mr. Videtto,	
Mr. Blair,	Mr. Lothrop,	Mr. Walker,	
Mr. Cooper,	Mr. Mickle,	Mr. White,	
Mr. Dexter,	Mr. Preston,	Mr. Wilson,	
Mr. Dort,	Mr. Rice,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Sanborn,	Mr. Speaker,	27

Mr. Howell then accepted the substitute, and the same was adopted by yeas and nays as follows :

YEAS.

Mr. Babcock,	Mr. Hewitt,	Mr. Sanborn,	
Mr. Ball,	Mr. Howell,	Mr. Scott,	
Mr. Bennett,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Blair,	Mr. King,	Mr. Stuart,	
Mr. Bush,	Mr. Lewis,	Mr. Walker,	
Mr. Dexter,	Mr. Lothrop,	Mr. White,	
Mr. Dort,	Mr. Mickle,	Mr. Wilson,	
Mr. Fessenden,	Mr. Preston,	Mr. Woodbury,	
Mr. French,	Mr. Rice,	Mr. Speaker,	27

NAYS.

Mr. Anderson,	Mr. Hathaway,	Mr. Smith,	
Mr. Annable,	Mr. Little,	Mr. Turner,	
Mr. Axford,	Mr. Littlejohn,	Mr. Videtto,	
Mr. Crary,	Mr. Norvell,	Mr. Wendell,	12

The bill was ordered to the third reading by yeas and nays as follows :

YEAS.

Mr. Babcock,	Mr. French,	Mr. Scott,
Mr. Ball,	Mr. Hewitt,	Mr. Sheldon,
Mr. Bennett,	Mr. Howell,	Mr. Stuart,
Mr. Blair,	Mr. Humphrey,	Mr. Walker,
Mr. Bush,	Mr. Lothrop,	Mr. White,
Mr. Cooper,	Mr. Mickle,	Mr. Wilson,
Mr. Dexter,	Mr. Preston,	Mr. Woodbury,
Mr. Dort,	Mr. Rice,	Mr. Speaker,
Mr. Fessenden,	Mr. Sanborn,	

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NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Littlejohn,
Mr. Annable,	Mr. Hathaway,	Mr. Norvell,
Mr. Arnold,	Mr. King,	Mr. Smith,
Mr. Axford,	Mr. Lewis,	Mr. Videtto,
Mr. Crary,	Mr. Little,	Mr. Wendell,
Mr. Goodwin,		

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The following message from the executive, by the hands of his private secretary, Mr. Welch, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "An act making an appropriation for the improvement of the state salt springs."

Also, "An act to amend the revised statutes in relation to the inventory and collection of the effects of deceased persons."

Also, "A joint resolution requesting the President of the United States to cause the re-survey of certain townships of land."

JOHN S. BARRY.

Executive Office, February 1, 1842.

On motion of Mr. Goodwin,

The House went into committee of the whole on the "Bill to repeal the charters of certain banks," and the substitute therefor ; Mr. Fessenden in the chair.

After some time spent thereon, the committee rose and reported the bill back with amendments, which were concurred in by the House.

When, on motion of Mr. Howell, it was

Resolved, That Mr. Jonathan Lamb be allowed the use of this hall on thursday evening next, to deliver a lecture on the subject of education and common schools.

And, on motion, the House adjourned.

Wednesday, February 2, 1842.

The House met pursuant to adjournment.

The members were present.

Prayer by the Rev. Bishop McCoskry.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Hawley. Of Milton Wood and others, of Jackson county, to reduce the price of primary school lands. Referred to the committee on university and school lands.

By Mr. Scott. Of Garry Spencer, late treasurer of Wayne county, for relief. Referred to the committee on claims.

By Mr. Turner. Of the treasurer of Shiawassee county, praying that tax deeds shall vest the title in fee simple in the holder. Referred to the committee of the whole.

By Mr. Sanborn. Petition and remonstrance concerning the division of the township of Lexington, St. Clair county. Referred to the committee on towns and counties.

By Mr. Turner. Of ninety legal voters of Shiawassee county, asking for alteration in the law for the collection of non-resident taxes. Referred to the committee of the whole.

By Mr. French. Of inhabitants of Eaton county, for the organization of a town. Referred to the committee on towns and counties.

By Mr. Dexter. Three several petitions of inhabitants of Kent county, to make the Grand river the division line of all the towns in Ottawa county. Referred to the committee on towns and counties.

REPORTS.

Mr. Videtto, from the committee on roads and bridges, to whom was referred the petition of inhabitants of the township of Hanover, Jackson county, for the alteration of a certain state road, having had the same under consideration, reported adverse to the prayer of the petitioners, and were discharged from the further consideration of the subject.

Mr. Hanscom, from the committee on the judiciary, reported "A bill to amend an act entitled 'an act to incorporate the village of Pontiac,'" which was read a first and second time by its title and referred to the committee of the whole House.

Mr. Videtto, from the committee on roads and bridges, reported

"A bill to provide for laying out a state road from Coruna, in the county of Shiawassec, to a place called Indian Village, in the county of Saginaw;" which was read a first and second time and referred to the committee of the whole.

Mr. Turner, from the select committee to whom was referred the bill for the relief of George Campau, reported the same back with an amendment striking out the second section, and the bill was referred to the committee of the whole.

Mr. Cooper, pursuant to notice, obtained leave to introduce a bill entitled an act to incorporate the village of Jackson, which was referred to the committee on banks and incorporations.

Mr. Stuart, from the committee on university and school lands, to whom was referred the Senate bill to provide for the sale of certain lands to the persons therein named, reported the same back with amendments thereto, and, on his motion, the bill was taken up and the amendments concurred in.

Mr. Goodwin moved to lay the same on the table; which motion was lost and the bill ordered to a third reading.

MESSAGES.

A message was announced from the Senate, by their messenger, Horace S. Roberts, transmitting to the House "A bill to provide for the withdrawal of treasury notes, and for other purposes," which the Senate had passed, and respectfully asking the concurrence of the House therein.

And the said bill was referred to the committee on ways and means.

The Speaker announced as the select committee on the report of the state geologist, Messrs. Annable, Dexter and Ball.

Mr. Hanscom, from the committee on revision, reported, as correct, a bill for the relief of Thompsonian practitioners of medicine.

RESOLUTIONS.

Mr. Little offered the following preamble and joint resolutions, which were referred to the committee on federal relations:

Whereas, there has been a survey of a route for a military road, by the general government, leading from Saginaw to Mackinaw, under the superintendence of Lieutenant Pool, some years since, by which survey the distance is about one hundred and fifty miles;

And whereas, by the surveys recently made, of the lands belong-

ing to the general government in the northern part of the peninsula, it is ascertained a good route for said road can be had, shortening the distance some twenty miles ;

And whereas, at present, there is no communication during the winter, save by the circuitous route of Saginaw bay and Lake Huron, of about three hundred miles, by which the mail is conveyed to the northern part of this state, with great delay and danger, owing to the impossibility of crossing rivers which are frequently open during winter ;

And whereas, the growing importance of the northern part of the state, and the necessary increase of the weight of mails, render it almost impossible to convey the same by the present route, as required by law ;

And whereas, it is important that a safe and feasible route can and ought to be made, in order that we have a communication during the winter months, with the military posts of Mackinac and St. Mary, for the purpose of conveying stores in the event of a war with England, as well as the importance of conveying the mail ;

And whereas, by an appropriation of a sum sufficient, by congress, to cut out a road and bridge the streams, a route, both safe and short, can be obtained, which will make the northern part of this state accessible at all seasons of the year, while, at the same time, it will bring into market valuable tracts of land ; opening to settlements the northern part of this peninsula, and soon replenish the general government, by the sale of lands, which will reimburse the amount appropriated ; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators and representative in congress be requested to use their best exertions to procure a sufficient appropriation for cutting out said road and bridging the streams on said route.

Resolved, That the Governor be requested to forward a copy of this preamble and resolutions to each of our senators and representative in congress.

On motion of Mr. Livermore,

Resolved, That the resolution adopted yesterday, allowing the use of this hall to Mr. Lamb, Thursday evening, for the purpose of delivering a lecture on education, be and the same is hereby rescinded.

Mr. Gunning offered the following resolution, which, on motion of Mr. Lamb, lies on the table :

Resolved, That this House have three sessions a day from this time ; the first at eight o'clock A. M., the second at two o'clock P. M., and the third at seven o'clock P. M., on each day.

NOTICES.

Mr. Turner gave notice that he would, at an early day, ask leave to bring in a bill to authorize P. S. Lyman to build a dam across the Shiawassee river, in the county of Shiawassee.

Mr. Rice gave notice that he would, on a future day, ask leave to bring in a bill to amend an act entitled " An act to amend the revised statutes relative to primary schools."

UNFINISHED BUSINESS.

The Speaker announced the " Bill to repeal the charters of certain banks, and for other purposes," and the same was taken under consideration.

Mr. Lothrop moved still further to amend section five, by adding " and every other bank claiming any rights or organization under the general banking law, or the act or acts amendatory thereto ;" and the same amended, on motion of Mr. Cooper, to read " excepting the merchants' bank of Jackson," was adopted.

Mr. Stuart moved to strike out of third line of third section, the words " a justice of the supreme court, or," and also wherever it may occur in the bill.

Which motion was adopted, by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. Chipman,	Mr. Mickle,
Mr. Arnold,	Mr. Dexter,	Mr. Sanborn,
Mr. Axford,	Mr. Gunning,	Mr. Scott,
Mr. Babcock,	Mr. Hanscom,	Mr. Stuart,
Mr. Bennett,	Mr. Howell,	Mr. White,
Mr. Blair,	Mr. Lewis,	Mr. Wing,
Mr. Bush,	Mr. Lothrop,	Mr. Speaker,

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NAYS.

Mr. Annable,	Mr. Hawley,	Mr. Sheldon,
Mr. Ball,	Mr. Hewitt,	Mr. Smith,
Mr. Berry,	Mr. Humphrey,	Mr. Turner,
Mr. Dort,	Mr. Little,	Mr. Walker,
Mr. French,	Mr. Littlejohn,	Mr. Wendell,
Mr. Goodwin,	Mr. Magoon,	Mr. Woodbury,

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Mr. Howell moved to recommit the bill to the committee on banks and incorporations with instructions to bring in separate bills for those banks organized under the general banking law, and those having special charters from the legislature, not including any bank in which no right of repeal is reserved in its charter ; which motion was lost.

Mr. Goodwin moved to strike out the fourth section, and insert in lieu thereof, the following :

SEC. 4. The attorney general is hereby required to cause receivers to be appointed for all the chartered banks of this state, which have not and do not continue to comply with the provisions of the act entitled "An act to repeal the suspension act of 12th April, 1841, and for other purposes," and all receivers, when so appointed, shall have the power and be liable to all the provisions of this act relative to receivers. Lost.

Mr. Hanscom offered the following as a substitute for the whole bill, which was lost :

Resolved by the Senate and House of Representatives of the State of Michigan, That the attorney general of the state be, and he is hereby authorized and required, to institute proceedings either at law or in equity for the purpose of winding up the affairs, paying the indebtedness and forfeiting the charters of any and all banking companies or institutions now existing in this state, or to annul the corporate privileges or rights of any company or institution of this state, organized or in existence for banking purposes that shall hereafter fail to comply with the requirements of an act entitled "An act to repeal the suspension law, passed April 12, 1841, and for other purposes," approved January 12, 1842.

The question then recurring on the amendment offered by Mr. Goodwin, the same was lost by the following vote :

YEAS.

Mr. Berry,	Mr. Howell.	Mr. Preston,
Mr. Crary,	Mr. Humphrey,	Mr. Sanborn,
Mr. Hanscom,	Mr. King,	Mr. Stuart,
Mr. Hathaway,	Mr. Lothrop,	Mr. Videtto,
Mr. Hewitt,	Mr. Mickle,	

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NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Norvell,
Mr. Annable,	Mr. French,	Mr. Rice,

Mr. Arnold,	Mr. Goodwin,	Mr. Scott,
Mr. Axford,	Mr. Gunning,	Mr. Smith,
Mr. Babcock,	Mr. Hawley,	Mr. Walker,
Mr. Ball,	Mr. Lamb,	Mr. Wendell,
Mr. Blair,	Mr. Lewis,	Mr. White,
Mr. Bush,	Mr. Little,	Mr. Wilson,
Mr. Cooper,	Mr. Littlejohn,	Mr. Woodbury,
Mr. Dexter,	Mr. Livermore,	Mr. Speaker,
Mr. Dort,	Mr. Magoon,	

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Mr. Stuart then submitted the following resolution :

Resolved, That the bill be referred back to the committee on banks and incorporations, with instructions to report separate provisions for the winding up of those institutions organized under the general banking law.

Discussions arising thereon and continuing to the hour of adjournment,

The house adjourned till half past two o'clock, P. M.

Afternoon Session.

There being a quorum present, on motion of Mr. Dexter, the rule was suspended, and the bill to provide for the sale of certain lands therein named, was read a third time and passed.

The House again resumed the consideration of the bill to repeal the charters of certain banks, and for other purposes, and the question being taken by yeas and nays on the resolution of Mr. Stuart, the same was lost, by the following vote :

YEAS.

Mr. Bennett,	Mr. Howell,	Mr. Preston,
Mr. Dexter,	Mr. Livermore,	Mr. Stuart,
Mr. Fessenden,	Mr. Mickle,	Mr. Turner,
Mr. Hewitt,		

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Sanborn,
Mr. Annable,	Mr. Gunning,	Mr. Scott,
Mr. Arnold,	Mr. Hathaway,	Mr. Sheldon,
Mr. Babcock,	Mr. Hawley,	Mr. Smith,
Mr. Ball,	Mr. Humphrey,	Mr. Videtto,
Mr. Berry,	Mr. King,	Mr. Walker,
Mr. Blair,	Mr. Little,	Mr. Wendell,
Mr. Bush,	Mr. Littlejohn,	Mr. White,
Mr. Chipman,	Mr. Lothrop,	Mr. Woodbury,
Mr. Cooper,	Mr. Norvell,	Mr. Speaker,
Mr. Crary,	Mr. Rice,	

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Mr. Howell then offered the following, as a substitute for the whole bill :

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That it shall be the duty of the chancellor of this state, to appoint three trustees for every banking institution of this state, created by virtue of an act entitled "An act to organize and regulate banking associations," approved March 15, 1837, and, also, "An act to amend an act entitled 'an act to organize and regulate banking associations, and for other purposes,' approved December 30, 1837 ;" which said trustees shall be appointed within ninety days from and after the time this act takes effect and shall be in force : *Provided*, That any bank mentioned above, which shall comply in good faith with the laws now in force regulating banking associations, shall be exempt from the provisions of this act.

Sec. 2. It shall be the duty of the said trustees, appointed as aforesaid, before entering upon the duties of their office, to take and subscribe an oath, before the county clerk of the county where such banking institution is located, that they and each of them, will well and truly execute the duties of their said office, to the best of their abilities, and according to the provisions of this act, and execute a good and sufficient bond, in the name of the auditor general of this state, for the sum of five thousand dollars each, conditioned for the faithful performance of the duties of said office ; and no person shall be appointed a trustee for more than one banking institution, and shall be an inhabitant of the same county where the banking institution, for the final settlement of whose affairs he is appointed a trustee, shall be located ; and no person who is a debtor to any such bank, or was an officer or stockholder, or whose property has been pledged in any way for the liabilities of any such bank, shall be appointed such trustee.

Sec. 3. It shall be the duty of the said trustees, and they are hereby authorized, to receive from the auditor general or bank commissioner, any bond or mortgage, or other evidences of debt, which may have been, by any such bank, deposited with the auditor general or bank commissioner, as collateral security for the ultimate redemption of the liabilities of such bank, and any other person into whose hands any such security may have been placed, shall deliver the same

to the said trustees, immediately after receiving notice that such trustees have been appointed, or forfeit twice the amount of such security placed in their hands, to be recovered by such trustees, or a majority of them, in their name as such, for the use of the bank for the final settlement of whose affairs they were appointed.

Sec. 4. Within five days after the said trustees shall have taken and subscribed the oath, and given the bond required by the second section of this act, they, or a majority of them, shall give notice in some newspaper of the same county in which the bank for which they are trustees, shall be located, which notice shall be continued for four successive weeks, that they will, at a day therein mentioned, receive and examine all claims against such bank, which examination shall not be more than fifteen nor less than ten days after the last publication of the notice above mentioned. After the said trustees shall have ascertained the amount of the liabilities of any such bank, they shall, as soon as may be thereafter, proceed to the collection of all the securities of the bank, and the payment of all its just debts, in the manner hereinafter specified.

Sec. 5. It shall be the duty of such trustees, and they are hereby authorized, to sue any bond or evidence of debt, given as herein before specified, in their own name, as such, for the use of the creditors of such bank, and execution may issue on any judgment so obtained, the same as is now provided for by the laws of this state.

Sec. 6. It shall be the duty of said trustees, immediately after complying with the provisions of the fourth section of this act, to proceed to the foreclosure of all mortgages, given as collateral security by the stockholders of such bank to the auditor general of this state, for the ultimate redemption of the liabilities of such bank, in their own name, as such, for the use of the creditors of any such bank; such foreclosure shall be in the same manner as is now provided for by the laws of this state, except that the right of redemption shall not extend to any lands sold by virtue of the provisions of this act.

Sec. 7. It shall be the duty of the trustees of any such bank, to convey by deed, any real estate security, at three-fourths its actual cash value, to any creditor or creditors of such bank, in discharge of the debts of such bank, provided such creditor or creditors elect to take such security in liquidation of their demand or demands.

Sec. 8. Any suits which have been commenced by the creditor of any such bank, and are now depending in any of the courts of this state, may be withdrawn by such creditor, and all legal costs be chargeable to any such bank against whom such suit was instituted, and to be recovered in the same manner as any other debt against such bank.

Sec. 9. It shall be the duty of such trustees, after collecting all the securities of any such bank, or a sufficient amount of such securities to pay all the liabilities of such bank, by first paying the amount of deposits made with such bank while it continued to exercise the functions of a bank, and before the same was enjoined by the chancellor of the state; then, if there should not be sufficient remaining to liquidate the balance of its liabilities, it shall be the duty of such trustees to make an equal dividend of the same.

Sec. 10. Any person having a claim against any such bank, must present the same to the trustees of such bank within the time specified by the fourth section of this act, or forfeit their right to recover the same from such institution.

Sec. 11. Such trustees shall be entitled to a reasonable compensation for all time actually spent in the settlement of any bank for which they are trustees, to be paid out of the proceeds of the securities of such bank, which compensation shall not exceed the sum of two dollars per day.

Sec. 12. All provisions of existing laws, contravening the provisions of this act, are hereby repealed.

Sec. 13. This act shall take effect from and after its passage.

Mr. Hanscom moved to strike out the fourth section, which was lost, by yeas and nays, as follows :

YEAS.

Mr. Fessenden,

Mr. Hanscom,

Mr. Livermore,

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NAYS.

Mr. Anderson,

Mr. Hawley,

Mr. Sanborn,

Mr. Annable,

Mr. Hewitt,

Mr. Scott,

Mr. Ball,

Mr. Howell,

Mr. Sheldon,

Mr. Bennett,

Mr. Humphrey,

Mr. Stuart,

Mr. Berry,

Mr. King,

Mr. Smith,

Mr. Bush,

Mr. Lamb,

Mr. Turner,

Mr. Chipman,

Mr. Lewis,

Mr. Videtto,

Mr. Cooper,

Mr. Littlejohn,

Mr. Walker,

Mr. Crary,
Mr. Dexter,
Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hathaway,

Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Rice,

Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Woodbury,
Mr. Speaker,

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The question then recurring on the substitute offered by Mr. Howell, the same was rejected.

Mr. Littlejohn then proposed the following amendment, to come in at the end of section fourth :

“Every chartered bank, included in the provisions of this act, that shall have fully complied with the provisions of the act entitled “An act to repeal the suspension law, passed April 12, 1841, and for other purposes,” approved January 18, 1842, shall be excepted from the provisions of this act, so long as it shall continue to transact a legitimate banking business, in accordance with the requirements of said repealing law.”

And the same was adopted.

Mr. Littlejohn moved a reconsideration of the vote concurring with the committee of the whole, striking out “bank of Macomb, in the county of Macomb, and the bank of Constantine, in the county of St. Joseph,” and the same was reconsidered, and the house refused to concur, and the same are retained.

Mr. Goodwin offered the following amendment to the fourth section, which was lost :

“And the attorney general shall proceed to cause receivers to be appointed in all cases where any of said banks shall fail to comply as aforesaid.”

On motion of Mr. Goodwin,

The bill, as amended, was now referred to a select committee of five, consisting of Messrs. Goodwin, Stuart, Crary, Lothrop and Littlejohn.

On motion of Mr. Stuart,

The rule was suspended and the bill relative to certain decisions of the supreme court, taken out of the committee of the whole, for the consideration of the House ; and,

On motion of Mr. Stuart, the same was read a third time and passed.

On motion of Mr. Lothrop,

The bill to provide for the assessment and collection of taxes, was taken up in committee of the whole, Mr. Dexter in the chair.

After some time spent thereon, the committee rose, reported progress, asked and obtained leave to sit again.

On motion of Mr. Livermore, the House adjourned.

Thursday, February 3, 1842.

The House met pursuant to adjournment.

Prayer by the Rev. Bishop McCoskry.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Livermore. Petition and remonstrance of inhabitants of Avon and Oakland, relative to certain roads in said townships. Referred to the committee on roads and bridges.

By Mr. Lamb. Petitions of inhabitants of Bristol, in Lapeer county, for relief of certain laws. Referred to the committee on the judiciary.

By Mr. Lamb. Of inhabitants of Bristol, Lapeer county, to abolish the office of county commissioners. Laid on the table.

By Mr. Scott. Of inhabitants of Macomb, against a division of said township. Referred to the committee on towns and counties.

By Mr. Lamb. Of inhabitants of the township of Dryden, relative to the division of said township. Referred to the committee on towns and counties.

By Mr. Wilson. Of citizens of Lenawee county, for the alteration of a state road. Referred to the committee on roads and bridges.

By Mr. Berry. Three several petitions of inhabitants of Branch county, to abolish the office of county commissioners. Referred to the committee of the whole.

By Mr. Livermore. Of citizens of Oakland county, asking a repeal of the appraisal law. Referred to the committee on the judiciary.

By Mr. Dexter. Of inhabitants of Ionia county, to abolish the office of county commissioners. Referred to the committee of the whole.

By Mr. Fessenden. Of one hundred and forty-one citizens of the township of Macomb, praying for a division of said township. Referred to the committee on towns and counties.

By Mr. Ball. Of one hundred and five citizens of Lenawee county, for the reduction of the price of university and school lands sold prior to 1839. Referred to the committee on university and school lands.

By Mr. Smith. Of inhabitants of the township of Flushing, Genesee county, for a state road. Referred to the committee on roads and bridges.

By Mr. Smith. Of inhabitants of Vienna, praying for a state road from thence to the county seat of Shiawassee county. Referred to the committee on roads and bridges.

By Mr. Videtto. Of inhabitants of Jackson county, to abolish the specific state tax. Referred to the select committee on taxation.

By Mr. Ball. Of inhabitants of Lenawee county, praying for the passage of a liberal exemption law, and against the repeal of the two thirds law. Referred to the committee of the whole.

By Mr. Berry. Of inhabitants of Branch county, for an amendment to the constitution, relative to elections. Referred to the committee on taxation.

REPORTS.

Mr. Norvell, from the committee on ways and means, to whom was referred the Senate "Bill to provide for the withdrawal of treasury notes, and for other purposes," reported the same back without amendment, and it was referred to the committee of the whole.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred the Senate "Bill to amend the charter of the city of Monroe," reported the same back without amendment, and it was referred to the committee of the whole.

Mr. Videtto, from the committee on federal relations, to whom was referred the joint resolution relative to the payment of certain companies of militia, reported the same back, recommending its adoption, and the same was passed.

Mr. Videtto, from the committee on roads and bridges, to whom was referred the petition of one hundred and eighty-nine inhabitants of Wayne and Monroe counties, for assistance in making the state

road from Dearbornville to Monroe passable, reported the same back and asked its reference to the committee on ways and means. And said petition was referred accordingly.

Mr. Crary, from the committee on education, to whom was referred the Senate "Bill in relation to the university and primary school fund, and for other purposes," reported the same back with an amendment, and it was referred to the committee of the whole.

Mr. Crary obtained leave to introduce a bill "to confirm a contract made by the auditor general and attorney general with George Ketchum," which was referred to the committee on ways and means.

Mr. Norvell, from the select committee, to whom was referred, on the 24th of January, 1842, a letter from Alexander D. Fraser, of Detroit, with an accompanying affidavit, concerning the printed notice of an intended application for the incorporation of the rector, wardens and vestrymen of St. Paul's church, in the city of Detroit, made a detailed report thereon, accompanied by the testimony elicited on the examination, "without fixing upon any person as the author of the mutilation, and without determining whether it was accidentally or by design committed, but the committee arriving unanimously at the conclusion that it was done prior to the delivery of the petition and other papers to the member who presented them to the House," and the report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Howell called up for a third reading the bill for the relief of botanical physicians.

Mr. Norvell moved the indefinite postponement of the bill, and the question being taken by yeas and nays, the motion was lost by the following vote :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,

Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. King,
Mr. Lewis,
Mr. Little,

Mr. Littlejohn,
Mr. Norvell,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wendell,

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NAYS.

Mr. Axford,

Mr. French,

Mr. Rice,

Mr. Babcock,	Mr. Hawley,	Mr. Sanborn,
Mr. Ball,	Mr. Hewitt,	Mr. Scott,
Mr. Berry,	Mr. Howell,	Mr. Sheldon,
Mr. Bennett,	Mr. Humphrey,	Mr. Walker,
Mr. Blair,	Mr. Lamb,	Mr. White,
Mr. Chipman,	Mr. Lothrop,	Mr. Wilson,
Mr. Cooper,	Mr. Magoon,	Mr. Woodbury,
Mr. Dort,	Mr. Mickle,	Mr. Speaker,
Mr. Fessenden,	Mr. Preston,	

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Mr. Livermore was excused from voting.

The question being on its passage, the bill was passed by yeas and nays, as follows :

YEAS.

Mr. Babcock,	Mr. Hewitt,	Mr. Rice,
Mr. Ball,	Mr. Howell,	Mr. Sanborn,
Mr. Bennett,	Mr. Humphrey,	Mr. Scott,
Mr. Blair,	Mr. Lamb,	Mr. Sheldon,
Mr. Chipman,	Mr. Lewis,	Mr. Walker,
Mr. Dexter,	Mr. Lothrop,	Mr. Wilson,
Mr. Dort,	Mr. Magoon,	Mr. White,
Mr. Fessenden,	Mr. Mickle,	Mr. Woodbury,
Mr. French,	Mr. Preston,	Mr. Speaker,
Mr. Hawley,		

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NAYS.

Mr. Anderson,	Mr. Hanscom,	Mr. Norvell,
Mr. Annable,	Mr. Hathaway,	Mr. Smith,
Mr. Arnold,	Mr. King,	Mr. Turner,
Mr. Axford,	Mr. Little,	Mr. Videtto,
Mr. Crary,	Mr. Littlejohn,	Mr. Wendell,

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The question being on the title of the bill,

Mr. Goodwin moved that it be entitled "an act for the benefit of quacks."

Mr. Hanscom moved to amend by entitling it "a bill to encourage the science of quackery," which amendment Mr. Goodwin accepted, and the amendment was lost.

Mr. Norvell moved that the bill be entitled "a bill to recognize and legalize the Thompsonian system of medical practice."

Mr. Littlejohn moved to add thereto "and to rob the estates of intestates."

Mr. Howell moved that the bill be entitled "a bill to amend the revised statutes relative to the practice of physic and surgery."

Mr. Preston to call it "a bill to chafe certain gentlemen, and for other purposes."

Mr. Dexter called for the previous question, which being sustained, the question was taken on the amendment of Mr. Littlejohn, and the motion was lost.

The question then being taken on Mr. Howell's motion, the same was adopted.

UNFINISHED BUSINESS.

On motion of Mr. Lamb,

The House resumed the consideration of the bill to provide for the assessment and collection of taxes, Mr. Dexter in the chair.

After going through with the same, the committee rose and reported the bill back with sundry amendments, which were concurred in by the House, and

The House adjourned until half-past two o'clock, P. M.

Afternoon Session.

There being a quorum present,

The Speaker announced the following messages from the Senate, by their messenger, Horace S. Roberts :

A message returning to the House "a bill for the relief of the township of Cass, in the county of Ionia," which the Senate had concurred in and duly passed.

And the said bill was ordered to be enrolled.

A message transmitting to the House "a bill to amend chapter one, title four, part third of the revised statutes, entitled of proceedings against debtors by attachments," which the Senate had passed and respectfully asking the concurrence of the House therein.

And said bill was referred to the committee on the judiciary.

Also, a message transmitting to the House a "bill in relation to auditor general's warrants on the internal improvement fund," which the Senate had passed and respectfully asking the concurrence of the House therein.

And the said bill was referred to the committee on ways and means.

The House now resumed the consideration of the "bill to provide for the assessment and collection of taxes," when

On motion of Mr. Lamb,

The same was re-committed to the committee of the whole, Mr. Dexter in the chair.

After some time spent thereon, the committee rose and reported the same back with amendments, in which the House concurred, and

On motion of Mr. Hanscom,

The bill with the amendments was re-committed to the select committee on taxation.

And the House adjourned until to-morrow morning at nine o'clock.

Friday, February 4, 1842.

The House met pursuant to adjournment.

Members all present.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Cooper. Of one hundred and fifty inhabitants of the town of Jackson, praying for an act of incorporation for the village of Jackson. Referred to the committee on banks and incorporations.

By Mr. Cooper. Remonstrance of inhabitants of the town of Jackson, against the incorporation of the village of Jackson. Referred to the committee on banks and incorporations.

By Mr. Lothrop. Of S. Gillett and others, praying that the law authorizing a specific state tax, be repealed. Referred to the select committee on taxation.

By Mr. Hawley. Of inhabitants of Jackson county, for the abolishment of the office of county commissioner. Laid on the table.

By Mr. French. Of inhabitants of Ingham county, against the division of a town. Referred to the committee on towns and counties.

By Mr. Woodbury. Remonstrance of citizens of Lenawee county, against reducing the price of school lands. Referred to the committee on university and school lands.

By Mr. Crary. Deposition and claim of William H. Wilder. Referred to the committee on claims.

By Mr. Turner. Of citizens of Clinton county, for a state road. Referred to the committee on roads and bridges.

By Mr. Turner. Of Franklin Oliver, for a dam across the Looking Glass river, in the county of Clinton. Referred to the committee on roads and bridges.

By Mr. Anderson. Of William Crumb and others, praying for the right of trial by jury, to fugitives. Laid on the table.

By Mr. Anderson. Of Mr. Crumb and others, praying that the word "white" be stricken from the constitution of this state.

By Mr. Dort. A remonstrance of one hundred and twenty-four citizens of the township of Dearborn, against leasing the Central railroad. Referred to the committee on internal improvement.

By Mr. Little. Of certain citizens, for authority to erect a dam across the Shiawassee river, in Saginaw county. Referred to the committee on roads and bridges.

By Mr. Berry. Four several petitions of inhabitants of Branch county, for the reduction of the price of sold university and school lands. Referred to the committee on university and school lands.

By Mr. Norvell. Four several petitions in regard to the qualifications of witnesses, which Mr. Norvell moved to refer to a select committee of five.

Mr. Crary moved to amend by referring the same to the judiciary committee, and recommit to that committee their report on that subject, with instructions to report a bill making a mans religious belief go to his credibility and not to his competency.

Mr. Littlejohn offered the following amendment thereto :

That the petitions be referred to the judiciary committee, with instructions to report a bill providing for the abolition of all judicial oaths ; providing for the substitution of "affirmation upon honor," in all cases, and constituting a wilful falsehood by the affirmant, a felony punishable by imprisonment in the state prison.

Mr. Hanscom moved to lay the petition, motion and amendment on the table ; which motion was lost, by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Preston,
Mr. Arnold,	Mr. Hanscom,	Mr. Turner,
Mr. Bennett,	Mr. King,	Mr. White,
Mr. Berry,	Mr. Little,	Mr. Wilson,
Mr. Bush,	Mr. Livermore,	Mr. Wing,
Mr. Fessenden,	Mr. Lothrop,	

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NAYS.

Mr. Annable,	Mr. Gunning,	Mr. Norvell,
Mr. Axford,	Mr. Hathaway,	Mr. Rice,
Mr. Babcock,	Mr. Hawley,	Mr. Sanborn,

Mr. Ball,	Mr. Hewitt,	Mr. Scott,
Mr. Blair,	Mr. Howell,	Mr. Sheldon,
Mr. Chipman,	Mr. Humphrey,	Mr. Smith,
Mr. Cooper,	Mr. Lamb,	Mr. Videtto,
Mr. Crary,	Mr. Lewis,	Mr. Walker,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wendell,
Mr. Dort,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Mickle,	Mr. Speaker, 33

The question was then taken on Mr. Littlejohn's amendment, and the same was lost.

Mr. Lothrop moved an indefinite postponement of the subject, which was lost, by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Fessenden,	Mr. Preston,
Mr. Annable,	Mr. King,	Mr. Sheldon,
Mr. Arnold,	Mr. Lamb,	Mr. Stuart,
Mr. Axford,	Mr. Littlejohn,	Mr. Smith,
Mr. Bennett,	Mr. Livermore,	Mr. White,
Mr. Berry,	Mr. Lothrop,	Mr. Wing, 18

NAYS.

Mr. Babcock,	Mr. Hanscom,	Mr. Rice,
Mr. Ball,	Mr. Hathaway,	Mr. Sanborn,
Mr. Blair,	Mr. Hawley,	Mr. Scott,
Mr. Bush,	Mr. Hewitt,	Mr. Turner,
Mr. Cooper,	Mr. Howell,	Mr. Videtto,
Mr. Crary,	Mr. Humphrey,	Mr. Walker,
Mr. Dexter,	Mr. Lewis,	Mr. Wendell,
Mr. Dort,	Mr. Magoon,	Mr. Wilson,
Mr. French,	Mr. Mickle,	Mr. Woodbury,
Mr. Goodwin,	Mr. Norvell,	Mr. Speaker, 31
Mr. Gunning,		

Mr. Howell called for the question on the motion of Mr. Crary, when

Mr. Hanscom offered the following amendment, which was accepted by Mr. Crary :

"With instructions to report a bill to the effect, that a man's belief shall in no case affect his competency as a witness."

Mr. Lamb moved to postpone the subject until the 17th February.

Mr. Fessenden moved the previous question, and his motion being sustained, the motion of Mr. Norvell, as amended by Mr. Hanscom, was adopted ; and Messrs. Norvell, Howell, Wendell, Gunning and French, were announced by the Speaker, as such select committee.

REPORTS.

Mr. Norvell, from the committee on ways and means, to whom was referred the petition of sundry inhabitants of the counties of Wayne and Monroe, praying that an appropriation may be made for repairing and completing the state road from Dearbornville to Monroe, so as to render it passable, beg leave to report, that the condition of the treasury, at this time, renders it inexpedient to grant the prayer of the petitioners, but that the object in view is one worthy of legislative aid. The committee, therefore, recommend the subject to the attention of the next legislature, and ask to be discharged from its further consideration

And the committee were discharged accordingly.

Mr. Videtto, from the committee on roads and bridges, to whom was referred the petition of inhabitants of Lenawee county, for the alteration of a state road, reported adverse to the petitioners, and were discharged from the further consideration of the subject.

Mr. Videtto, from the same committee, to whom had been referred the petition of inhabitants of the town of Springport, for an alteration in the Clinton and Grand Rapids road, reported the same back to the House, and were discharged from its further consideration.

Mr. Videtto, also, from the same committee, reported a bill to lay out and establish a certain state road, which was referred to the committee of the whole.

Mr. Norvell, from the committee on ways and means, to whom was referred the Senate bill in relation to auditor general's warrants on the internal improvement fund, reported the same back without amendment, and it was referred to the committee of the whole.

The select committee to whom was referred the memorials and remonstrances relative to the seat of justice of the county of St. Clair, as well as the memorials relative to the division of the same, having had the subject under consideration, respectfully reported :

That they have ascertained from the memorials and remonstrances relative to a removal of the seat of justice of said county, that the number of persons in favor of a removal, is two hundred and four, and the number opposed to a removal, three hundred and sixty, or one hundred and fifty-four majority in favor of the present location.

Your committee are therefore of the opinion, that no change in the location of the seat of justice should, at the present time, be made.

On the question of a division of said county, your committee have ascertained, that the portion proposed to be organized into a separate county, is but thinly populated, and not of sufficient numbers or ability to admit of a separate and distinct organization, and that the memorialists asking for such division, principally reside in that part of the county which would not be included in that portion proposed to be organized into a new county.

Your committee, therefore, report adversely to the prayer of the latter class of memorialists, believing that no legislative action in the premises is, at this time, necessary, and respectfully ask to be discharged from any further consideration of the subject referred to them.

And the said select committee were discharged from the further consideration thereof.

Mr. Smith, from the committee on federal relations, reported the following preamble and joint resolutions :

Whereas, There has been a survey of a route for a military road by the general government, leading from Saginaw to Mackinac, under the superintendence of Lieutenant Pool, some years since, by which survey the distance is about one hundred and fifty miles ; *and whereas*, by the survey recently made of the lands belonging to the general government in the peninsula, it is ascertained that a good route can be had, making the distance some twenty miles less ; *and whereas*, at present, there is no communication during the winter, save by the circuitous route of Saginaw bay and lake Huron, of about three hundred miles, by which the mail is conveyed to the northern part of the state, with great delay and danger, owing to the impossibility of crossing rivers, which are frequently open during winter ; *and whereas*, the growing importance of the northern part of this state, and the necessary increase of the weight of the mails, render it almost impossible to convey the same by the present route, as required by law ; *and whereas*, it is important that a safe and feasible route should be had, in order that a direct communication should be secured during the winter months, with the military posts of Mackinac and St. Marys, for the purpose of conveying mili-

tary stores in the event of war, as well as the importance of carrying the mails; *and whereas*, by an appropriation of a sum sufficient by congress, to cut out a road and bridge the streams, a route both safe and short can be obtained, which will make the northern part of this state accessible at all seasons of the year, while at the same time it will bring into market valuable tracts of land, opening to settlement the northern part of the peninsula, and soon replenishing the treasury of the general government, by the sale of lands which will reimburse the amount appropriated; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That our senators and representative in congress, be requested to use their best exertions to procure a sufficient appropriation for opening such communication.

Resolved, That the Governor be requested to forward a copy of this preamble and resolution, to each of our senators and representative in congress.

On motion of Mr. Norvell, the said preamble and resolution lies on the table.

Mr. Lothrop, from the select committee on taxation, to whom was re-committed the "Bill for the assessment and collection of taxes, and for other purposes," reported the same back to the House with amendments, revised, and the same was re-committed to the committee of the whole.

Mr. Crary, from the committee on internal improvement, reported a "bill prescribing certain duties to be performed by the acting commissioner of internal improvement."

And on his motion, the rule was suspended, the bill read a third time and passed.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "an act for the relief of the township of Cass, in the county of Ionia."

Mr. Rice, pursuant to notice, obtained leave to introduce a bill to amend the act entitled "an act to amend the revised statutes, relative to primary schools," which was referred to the committee on education.

Mr. Bennett, pursuant to notice, obtained leave to introduce a "bill to amend an act to amend the revised statutes, relative to primary

schools, approved April 1, 1840," which was referred to the committee on education.

On motion of Mr. Crary,

The Senate resolutions in relation to the bankrupt law, with the amendments proposed by the committee on federal relations, were taken up, and the question being on the amendment to the first resolution, the same was adopted.

The yeas and nays being called on the substitute for the second resolution, the same was lost by the following vote :

YEAS.

Mr. Annable,	Mr. Howell,	Mr. Lothrop,	
Mr. Crary,	Mr. Humphrey,	Mr. Norvell,	
Mr. Dexter,	Mr. Lewis,	Mr. Stuart,	
Mr. Goodwin,	Mr. Little,	Mr. Smith,	
Mr. Hanscom,	Mr. Littlejohn,	Mr. Walker,	
Mr. Hawley,	Mr. Livermore,	Mr. Wing,	18

NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Scott,	
Mr. Arnold,	Mr. French,	Mr. Sheldon,	
Mr. Babcock,	Mr. Hathaway,	Mr. Wendell,	
Mr. Ball,	Mr. Hewitt,	Mr. White,	
Mr. Berry,	Mr. Lamb,	Mr. Wilson,	
Mr. Blair,	Mr. Mickle,	Mr. Woodbury,	
Mr. Bush,	Mr. Preston,	Mr. Speaker,	
Mr. Dort,	Mr. Rice,		23

Mr. Crary then calling for the yeas and nays on the adoption of the resolution as amended, the same was carried, as follows :

YEAS.

Mr. Annable,	Mr. Gunning,	Mr. Scott,	
Mr. Ball,	Mr. Hanscom,	Mr. Stuart,	
Mr. Blair,	Mr. Hawley,	Mr. Smith,	
Mr. Bush,	Mr. Howell,	Mr. Videtto,	
Mr. Crary,	Mr. Humphrey,	Mr. Walker,	
Mr. Dexter,	Mr. Lewis,	Mr. Wilson,	
Mr. Dort,	Mr. Little,	Mr. Wing,	
Mr. Fessenden,	Mr. Littlejohn,	Mr. Woodbury,	
Mr. French,	Mr. Livermore,	Mr. Speaker,	
Mr. Goodwin,	Mr. Norvell,		29

NAYS.

Mr. Anderson,	Mr. Hewitt,	Mr. Rice,	
Mr. Arnold,	Mr. Lamb,	Mr. Sheldon,	
Mr. Babcock,	Mr. Lothrop,	Mr. Wendell,	
Mr. Berry,	Mr. Mickle,	Mr. White,	
Mr. Hathaway,	Mr. Preston,		14

RESOLUTIONS.

Mr. Dort offered the following resolution, which was laid upon the table :

Resolved, That the standing and select committees of this House are directed to report on all matters before them on Friday next, unless otherwise ordered, if they can conveniently do so.

On motion of Mr. Lamb,

Resolved, That the board of internal improvement, be, and they are hereby requested to report to this House whether they have proceeded in accordance with a joint resolution, approved April 18, 1841, relative to the claims of Daniel B. Harrington and T. Bath, for work done on the Northern railroad, and, if so, what are the conclusions to which they have arrived.

NOTICES.

Mr. Berry gave notice that at some subsequent day he should ask leave to introduce a bill to organize a separate township in the county of Branch.

Mr. Bush gave notice that at some future day, he shall ask leave to introduce a bill to amend chapter six, title one, part three, of the revised statutes, relative to attorney, solicitors and counsellors.

The following message from the Executive, by his private secretary, Mr. Welch, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "an act for the relief of the township of Cass, in the county of Ionia."

Also, "a joint resolution in relation to the amendment of the constitution."

JOHN S. BARRY.

Executive Office, February 4, 1842.

On motion of Mr. Lothrop,

The special order was laid on the table, and the House again resolved itself into committee of the whole on the "bill providing for the assessment and collection of taxes, and for other purposes," Mr. Dexter in the chair.

After some time spent thereon, the committee rose and reported progress, asked and obtained leave to sit again, and

On motion of Mr. Lothrop, the House adjourned until half-past two o'clock, P. M.

—
Afternoon Session.

On calling the roll, there were absent, Messrs. Anderson, Annable, Arnold, Bennet, Bush, Chipman, Cooper, Dexter, Dort, French, Goodwin, Hathaway, Hewitt, King, Lamb, Lewis, Little, Livermore, Magoon, Mickle, Norvell, Preston, Rice, Sanborn, Sheldon, Stuart, Turner, Walker, Wendell, White, Wilson, Woodbury.

On motion of Mr. Lothrop, the sergeant-at-arms was directed to bring in the absentees.

A quorum appearing and taking their seats, on motion of Mr. Fessenden, the House resolved itself into the committee of the whole on the "bill providing for the assessment and collection of taxes," Mr. Dexter in the chair.

After some time spent thereon, the committee rose and reported the bill back with sundry amendments, which were concurred in by the House, by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Dort,	Mr. Norvell,	
Mr. Annable,	Mr. Fessenden,	Mr. Preston,	
Mr. Arnold,	Mr. French,	Mr. Sanborn,	
Mr. Ball,	Mr. Hanscom,	Mr. Stuart,	
Mr. Bennett,	Mr. Howell,	Mr. Smith,	
Mr. Berry,	Mr. Humphrey,	Mr. Turner,	
Mr. Blair,	Mr. Lamb,	Mr. Videtto,	
Mr. Bush,	Mr. Littlejohn,	Mr. Wendell,	
Mr. Crary,	Mr. Livermore,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Speaker,	30

NAYS.

Mr. Axford,	Mr. Hathaway,	Mr. Rice,	
Mr. Babcock,	Mr. Hawley,	Mr. Scott,	
Mr. Cooper,	Mr. Hewitt,	Mr. Sheldon,	
Mr. Goodwin,	Mr. King,	Mr. Walker,	
Mr. Gunning,	Mr. Magoon,	Mr. White,	15

Mr. Wing then moved to strike out from section forty, the words "one hundred," and the question being taken by yeas and nays, the motion was lost, as follows :

YEAS.

Mr. Anderson,	Mr. Hewitt,	Mr. Sheldon,
Mr. Annable,	Mr. Howell,	Mr. Stuart,
Mr. Berry,	Mr. Humphrey,	Mr. Smith,

Mr. Cooper,
Mr. Crary,
Mr. Gunning,
Mr. Hathaway,

Mr. Livermore,
Mr. Preston,
Mr. Sanborn,

Mr. Wendell,
Mr. White,
Mr. Wing,

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NAYS.

Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Blair,
Mr. Bush,
Mr. Dexter,
Mr. Fessenden,

Mr. French,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hawley,
Mr. Lamb,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Magoon,

Mr. Norvell,
Mr. Rice,
Mr. Scott,
Mr. Turner,
Mr. Videtto,
Mr. Walker,
Mr. Speaker,

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Mr. Lamb moved an adjournment. Lost.

Mr. Stuart moved a call of the House. Lost.

Mr. Anderson offered the following amendment to the first section, which was lost :

“ Each organized county in the state, shall have one county assessor.”

Mr. Anderson then offered the following amendment to first section which was lost :

“ Each organized county in the state, shall have three county assessors.

Mr. Lamb moved the following amendment to come in at the end of the sixteenth section, which was adopted :

“ *Provided*, That the same shall not be delivered to the said treasurer until he shall have given bond, as provided in the nineteenth section.”

Mr. Goodwin moved that the word “ treasurer ” in the written section, be stricken out, and the word “ collector ” inserted, which motion was lost.

The question on ordering the bill engrossed, being taken by yeas and nays, was decided as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Blair,
Mr. Bush,
Mr. Dexter,

Mr. Fessenden,
Mr. Hanscom,
Mr. Howell,
Mr. Humphrey,
Mr. Lamb,
Mr. Littlejohn,
Mr. Livermore,

Mr. Lothrop,
Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Turner,
Mr. Wendell,
Mr. Speaker,

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NAYS.

Mr. Axford,	Mr. Gunning,	Mr. Scott,
Mr. Babcock,	Mr. Hathaway,	Mr. Smith,
Mr. Berry,	Mr. Hawley,	Mr. Videtto,
Mr. Cooper,	Mr. Hewitt,	Mr. Walker,
Mr. Crary,	Mr. Magoon,	Mr. White,
Mr. French,	Mr. Rice,	Mr. Wing,
Mr. Goodwin,	Mr. Sanborn,	20

And the Hosue adjourned until to-morrow morning at nine o'clock.

Saturday, February 5, 1842.

The members all present.

Prayer by the Rev. A. M. Fitch.

The journal of yesterday was read and corrected.

Mr. Sheldon asked that his vote on the question ordering the bill to provide for the assessment and collection of taxes to be engrossed, should be recorded in the negative ; which was so ordered.

PETITIONS.

By Mr. Ball. Three several petitions of inhabitants of Lenawee county, against the passage of an exemption law to operate on existing contracts. Referred to the committee of the whole.

By Mr. Blair. Of one hundred and thirty inhabitants of Lenawee county, against the repeal of the two thirds law. Referred to the committee of the whole.

By Mr. Crary. Of citizens of the village of Marshall, in relation to the location of the railroad depot. Referred to the committee on internal improvement.

By Mr. Gunning. Claim of A. E. Hathon. Referred to the committee on claims.

By Mr. Crary. The proceedings of a public meeting at Marshall, in relation to the railroad depot. Referred to the committee on internal improvement.

By Mr. Bush. Claim of E. & H. Doty, against the state. Referred to the committee on claims.

By Mr. Hanscom. Of certain persons for laying out a state road from Fentonville to Byron. Referred to the committee on roads and bridges.

By Mr. Chipman. Of inhabitants of St. Joseph county, for the passage of a law prohibiting a recovery for trespass by cattle, &c., on uninclosed lands, &c. Referred to the judiciary committee.

By Mr. Preston. Remonstrance of sundry citizens of St. Joseph county, against legalizing the acts of the county commissioners. Laid on the table.

By Mr. Preston. Of citizens of Cass county, for repeal of all laws proscribing botanic physicians. Laid on the table.

By Mr. Cooper. Of inhabitants of Eaton county, for an appropriation on the Grand river road, and for the appointment of commissioners to lay out a certain state road. Referred to the committee on roads and bridges.

By Mr. Cooper. Of John Garrow for privilege to build a dam across Grand river in Eaton county. Referred to the committee on roads and bridges.

By Mr. Livermore. Of sundry persons, praying that the Detroit and Pontiac turnpike company be made to comply with the requisitions of their charter or forfeit the same. Referred to the committee on banks and incorporations.

By Mr. Livermore. Of John T. Hamlin, for pay of estimates, &c., for work done on Clinton and Kalamazoo canal. Referred to the committee on internal improvement.

By Mr. French. Of S. Hamlin and others for the privilege of building a dam across Grand river. Referred to the committee on roads and bridges.

By Mr. Berry. Of inhabitants of Branch county for a reduction of the price of sold university and school lands. Referred to the committee on university and school lands.

By Mr. Norvell. Of citizens of this state, praying for the passage of an exemption law. Referred to the committee of the whole.

REPORTS.

Mr. Livermore, from the committee on claims, to whom was referred the claim of Parshall & Foster, reported that in their opinion the law provides for the reference to the board of commissioners to the court of the proper county after they had an award by the proper appraisers, and asked and obtained leave for the claimants to withdraw their papers.

Mr. Livermore, from the same committee, to whom was referred the deposition of Wm. H. Wilder, relative to claim, asked their discharge therefrom, and its reference to the committee on internal improvement. Referred accordingly.

Mr. Norvell, from the select committee, to whom several petitions were referred, from the county of Berrien, praying for the passage of a law for the effectual protection of witnesses from the application of any religious test to the competency of their testimony, submitted a report which was ordered printed.

And the accompanying bill, entitled "A bill in relation to the competency of witnesses," was taken up, the rule suspended, read the third time and duly passed.

Mr. Fessenden, from the committee on education, to whom was referred so much of the message of the Governor as relates to primary schools, and also the report of the superintendent of public instruction, made a general report thereon, which was ordered to be printed.

Mr. Fessenden, from the committee on education, also, to whom was referred three bills, to amend the primary school laws, reported back the same with a substitute, entitled "A bill to amend an act entitled 'An act to amend the revised statutes relative to primary schools,' approved April 1, 1840," which bill was ordered printed and made the special order for Monday.

Mr. King from the committee on enrolment, reported as correctly enrolled, "A joint resolution in relation to the claim of certain companies of Michigan militia."

Mr. Stuart, from the judiciary committee, to whom was referred "A bill to authorize the overseers of highways of the town of Cambridge, county of Lenawee, to make new returns and for other purposes," reported the same back without amendment.

And the bill was referred to the committee of the whole.

On motion of Mr. Livermore.

The committee on claims were empowered to send for persons and papers relative to the claim of J. Van Fossen.

MESSAGES FROM THE SENATE.

The following messages from the Senate, by their messenger Horace S. Eoberts, were announced :

A message transmitting to the House "A bill to exclude a certain farm from the limits of the city of Detroit," which the Senate have passed and respectfully ask the concurrence of the House therein.

And said bill was referred to the committee on banks and incorporations.

A message returning to the House "A joint resolution in relation to the claim of certain companies of Michigan militia," and informing the House that the Senate had concurred therein.

Also, returning "A bill relative to certain decisions of the supreme court."

Also, "A bill authorizing the removal of the Bank of St. Clair to the city of Detroit," which the Senate have passed, with amendments, in which they respectfully ask the concurrence of the House.

Also, transmitting "A bill to provide for future elections of members of congress in this state," which the Senate have passed, and respectfully request the concurrence of the House therein.

And said joint resolution was ordered to be enrolled.

The bill relative to certain decisions of the supreme court, being under consideration, the House non-concurred in the Senate amendment to the first section, and concurred in their amendment to the second section.

The bill authorizing the removal of the bank of St. Clair, was laid on the table, and

The bill to provide for future elections of members of congress in this state, was referred to the select committee on so much of the Governor's message as relates to the election of members of congress.

UNFINISHED BUSINESS.

On motion of Mr. Lothrop,

The vote of yesterday, on ordering the bill to provide for the assessment and collection of taxes engrossed, was reconsidered; whereupon,

On motion of Mr. Lothrop, the following amendment was substituted for section sixty-eighth, of said bill:

"Sec. 68. All assessments of real and personal property in the city of Detroit, shall be made in accordance with its charter, and, for the purpose of imposing the county and state taxes for the county

of Wayne, the ward assessors of said city shall act as supervisors, and the city collector shall collect said taxes under the same restrictions and liabilities as is required of township treasurers under this act."

On motion of Mr. Goodwin, the following amendment was inserted, to come in at the end of section fifty-sixth :

"*Provided*, That in accounting with the auditor general, the county treasurer shall adopt the following order : 1st—where the amount of non-resident taxes in any county exceeds the amount of the state tax, the treasurer shall retain the amount raised for county purposes out of the first non-resident taxes collected, together with the interest thereon to the time of payment, and all the remaining taxes and the interest thereon, shall be accounted for to the auditor general. When the delinquent taxes are less than the state tax, the treasurer shall account accordingly for said tax and interest."

On motion of Mr. Bennett,

The fourth section, eighth line, was so amended as to read, after the word "certain," "upon a line separate from that of the real estate."

On motion of Mr. Lamb,

The vote of yesterday, refusing to strike out the words "one hundred," in the forty-first section, was reconsidered.

And the motion being again taken on striking out, it was carried, by yeas and nays, as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,
Mr. Dort,
Mr. Goodwin,
Mr. Hawley,

Mr. Hewitt,
Mr. Howell,
Mr. Humphrey,
Mr. Lamb,
Mr. Littlejohn,
Mr. Liverinore,
Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Sanborn,

Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wendell,
Mr. White,
Mr. Wing,
Mr. Woodbury,

29

NAYS.

Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,

Mr. Fessenden,
Mr. French,
Mr. Gunning,
Mr. Hanscom,

Mr. Lewis,
Mr. Magoon,
Mr. Rice,
Mr. Scott,

Mr. Berry,	Mr. Hathaway,	Mr. Wilson,	
Mr. Blair,	Mr. King,	Mr. Speaker,	
Mr. Bush,			19

On motion of Mr. Lothrop, the word "fifty" was inserted in lieu thereof.

The question being now taken on ordering the bill to be engrossed, it was so ordered, by yeas and nays, as follows:

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,	
Mr. Annable,	Mr. Hanscom,	Mr. Preston,	
Mr. Ball,	Mr. Hawley,	Mr. Sanborn,	
Mr. Bennett,	Mr. Howell,	Mr. Smith,	
Mr. Blair,	Mr. Humphrey,	Mr. Turner,	
Mr. Bush,	Mr. Lamb,	Mr. Videtto,	
Mr. Chipman,	Mr. Little,	Mr. Wendell,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Dexter,	Mr. Livermore,	Mr. Wing,	
Mr. Dort,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Mickle,	Mr. Speaker,	
Mr. French,			34

NAYS.

Mr. Arnold,	Mr. Hathaway,	Mr. Rice,	
Mr. Axford,	Mr. Hewitt,	Mr. Scott,	
Mr. Babcock,	Mr. King,	Mr. Sheldon,	
Mr. Berry,	Mr. Lewis,	Mr. Walker,	
Mr. Gunning,	Mr. Magoon,	Mr. White,	15

On motion of Mr. Lothrop,

The blank in the forty-sixth section was filled with "twenty-five," and, in the twentieth section, with "one dollar," and the bill ordered to a third reading.

The yeas and nays being on the final passage of the bill, the same was passed, by the following vote:

YEAS.

Mr. Anderson,	Mr. French,	Mr. Norvell,	
Mr. Annable,	Mr. Goodwin,	Mr. Preston,	
Mr. Ball,	Mr. Hanscom,	Mr. Sanborn,	
Mr. Bennett,	Mr. Howell,	Mr. Smith,	
Mr. Blair,	Mr. Humphrey,	Mr. Turner,	
Mr. Bush,	Mr. Lamb,	Mr. Videtto,	
Mr. Chipman,	Mr. Little,	Mr. Wendell,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Dexter,	Mr. Livermore,	Mr. Wing,	
Mr. Dort,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Mickle,	Mr. Speaker,	33

NAYS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Berry,
Mr. Cooper,
Mr. Gunning,

Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. King,
Mr. Lewis,
Mr. Magoon,

Mr. Rice,
Mr. Scott,
Mr. Sheldon,
Mr. Walker,
Mr. White,

17

Mr. Norvell called up from the table the preamble and joint resolution relative to a military road leading from Saginaw to Mackinac, and the resolutions were adopted.

Mr. Norvell offered the following amendment to the preamble, which was adopted:

"And whereas, the road contemplated in this preamble, is a continuation of the military road from Detroit to Saginaw, commenced by the United States when Michigan was a territory ;

And whereas, the necessity for such a road must continue as long as Michillimackinac and Fort Brady shall remain military posts, and the state of Michigan shall be bounded by the provinces of a foreign power."

And the preamble, as amended, was adopted.

Mr. Chipman's joint resolution to amend the fourth section of the fourth article of the constitution, was then taken up, when

Mr. Anderson offered the following amendment :

"Provided, That it shall be optional with the electors of any township, in any county or district in this state, to extend the time in that township for choosing the representatives, so as to include the first Monday of November and the following day."

Mr. Fessenden moved to amend by inserting the first Tuesday instead of the first Monday ; and the amendment being lost, and the vote on the resolution being taken by yeas and nays, it was rejected, as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Babcock,
Mr. Ball,
Mr. Bennett,
Mr. Blair,
Mr. Bush,

Mr. Cooper,
Mr. Dort,
Mr. Gunning,
Mr. Howell,
Mr. Lewis,
Mr. Lothrop,
Mr. Mickle,

Mr. Preston,
Mr. Sanborn,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

20

NAYS.

Mr. Arnold,	Mr. Hawley,	Mr. Magoon,
Mr. Berry,	Mr. Hewitt,	Mr. Norvell,
Mr. Crary,	Mr. Humphrey,	Mr. Rice,
Mr. Dexter,	Mr. King,	Mr. Sheldon,
Mr. Fessenden,	Mr. Lamb,	Mr. Smith,
Mr. French,	Mr. Little,	Mr. Videtto,
Mr. Goodwin,	Mr. Littlejohn,	Mr. Walker,
Mr. Hanscom,	Mr. Livermore,	Mr. White,
Mr. Hathaway,		

25

Mr. Dort called up the joint resolution from the Senate, relative to treasury notes, and Mr. Norvell calling for the yeas and nays, the House non-concurred in the same by the following vote :

YEAS.

Mr. Annable,	Mr. Humphrey,	Mr. Stuart,
Mr. Dexter,	Mr. Lamb,	Mr. Videtto,
Mr. Dort,	Mr. Little,	Mr. Wendell,
Mr. French,	Mr. Lothrop,	Mr. White,
Mr. Hewitt,	Mr. Mickle,	Mr. Wilson,
Mr. Howell,	Mr. Sanborn,	Mr. Woodbury,

18

NAYS.

Mr. Anderson,	Mr. Cooper,	Mr. Livermore,
Mr. Arnold,	Mr. Crary,	Mr. Magoon,
Mr. Babcock,	Mr. Fessenden,	Mr. Norvell,
Mr. Ball,	Mr. Goodwin,	Mr. Preston,
Mr. Bennett,	Mr. Gunning,	Mr. Rice,
Mr. Berry,	Mr. Hanscom,	Mr. Sheldon,
Mr. Blair,	Mr. Hawley,	Mr. Smith,
Mr. Bush,	Mr. King,	Mr. Walker,
Mr. Chipman,	Mr. Littlejohn,	Mr. Speaker,

27

And the House adjourned until half past two o'clock, P. M.

Afternoon Session.

There being a quorum present, the following messages from the Senate, by their messenger, Horace S. Roberts, were announced :

A message returning to the House, "A bill to abolish the office of county commissioners, and for other purposes," and informing the House that the Senate have passed the same with several amendments, in which they respectfully ask the concurrence of the House.

A message returning to the House, "A bill to amend the revised statutes, relative to the practice of physic and surgery," and informing the House that the Senate had non-concurred therein.

A message transmitting to the House, "A bill to cede jurisdiction over a certain tract of land," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And said bill was laid upon the table.

A message transmitting to the House "A joint resolution relative to a settlement with William Ford & Sons," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And said resolution was referred to the committee on ways and means.

A message transmitting to the House, "A bill to extend the right of trial by jury," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And said bill was referred to the committee of the whole.

Also, a message transmitting to the House, "A bill to vacate the seat of government of the state of Michigan, and establish the same at Marshall, in the county of Calhoun," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And the House having the said bill under consideration, Mr. Norvell moved to refer the same to a committee to consist of one member from each senatorial district.

Mr. Howell moved to lay the bill on the table, which was lost.

Mr. Howell moved to refer it to the committee on federal relations, which was lost.

The question being taken on Mr. Norvell's motion, the same was lost by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Hewitt,	Mr. Scott,
Mr. Axford,	Mr. Lewis,	Mr. Sheldon,
Mr. Babcock,	Mr. Magoon,	Mr. Videtto,
Mr. Ball,	Mr. Norvell,	Mr. Walker,
Mr. Bennett,	Mr. Preston,	Mr. Wendell,
Mr. Cooper,	Mr. Rice,	Mr. White,
Mr. Dexter,	Mr. Sanborn,	Mr. Speaker,
Mr. Fessenden,		

22

NAYS.

Mr. Annable,	Mr. Hathaway,	Mr. Lothrop,
Mr. Arnold,	Mr. Howell,	Mr. Mickle,
Mr. Berry,	Mr. Humphrey,	Mr. Stuart,
Mr. Blair,	Mr. King,	Mr. Smith,
Mr. Bush,	Mr. Lamb,	Mr. Turner,

Mr. French,	Mr. Little,	Mr. Wilson,	
Mr. Goodwin,	Mr. Littlejohn,	Mr. Wing,	
Mr. Gunning,	Mr. Livermore,	Mr. Woodbury,	24

Mr. Rice moved to refer the bill to the committee on ways and means. Lost.

On motion of Mr. Stuart, the rule was suspended, and the bill ordered to a third reading by the following vote :

YEAS.

Mr. Anderson,	Mr. Dort,	Mr. Lothrop,	
Mr. Annable,	Mr. Goodwin,	Mr. Magoon,	
Mr. Arnold,	Mr. Gunning,	Mr. Mickle,	
Mr. Axford,	Mr. Hathaway,	Mr. Preston,	
Mr. Ball,	Mr. Hawley,	Mr. Sanborn,	
Mr. Bennett,	Mr. Howell,	Mr. Stuart,	
Mr. Berry,	Mr. Humphrey,	Mr. Smith,	
Mr. Blair,	Mr. Lamb,	Mr. Turner,	
Mr. Bush,	Mr. Little,	Mr. Wilson,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,	
Mr. Dexter,	Mr. Livermore,	Mr. Woodbury,	33

NAYS.

Mr. Babcock,	Mr. King,	Mr. Sheldon,	
Mr. Cooper,	Mr. Lewis,	Mr. Videtto,	
Mr. Fessenden,	Mr. Norvell,	Mr. Walker,	
Mr. French,	Mr. Rice,	Mr. White,	
Mr. Hewitt,	Mr. Scott,	Mr. Speaker,	15

Mr. Livermore moved a call of the House, which motion prevailing, the roll was called, and Messrs. Chipman and Hanscom were absent.

On motion of Mr. Lamb, further proceedings relative to the call of the House were dispensed with.

Mr. Lamb moved to strike out "Marshall" and insert "Saginaw."

A division of the question being called for, "Marshall" was stricken out by the following vote :

YEAS.

Mr. Arnold,	Mr. Hathaway,	Mr. Rice,	
Mr. Axford,	Mr. Hawley,	Mr. Sanborn,	
Mr. Babcock,	Mr. Hewitt,	Mr. Scott,	
Mr. Cooper,	Mr. King,	Mr. Sheldon,	
Mr. Dexter,	Mr. Lamb,	Mr. Turner,	
Mr. Dort,	Mr. Lewis,	Mr. Videtto,	
Mr. Fessenden,	Mr. Little,	Mr. Walker,	
Mr. French,	Mr. Livermore,	Mr. White,	
Mr. Gunning,	Mr. Magoon,	Mr. Speaker,	27

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Preston,
Mr. Annable,	Mr. Howell,	Mr. Stuart,
Mr. Ball,	Mr. Humphrey,	Mr. Smith,
Mr. Bennett,	Mr. Littlejohn,	Mr. Wendell,
Mr. Berry,	Mr. Lothrop,	Mr. Wilson,
Mr. Blair,	Mr. Mickie,	Mr. Wing,
Mr. Bush,	Mr. Norvell,	Mr. Woodbury,
Mr. Crary,		

22

The question being on inserting "Saginaw," Mr. Videtto moved to fill the blank with "Jackson."

Mr. Livermore moved the indefinite postponement of the subject, which motion was lost by the following vote :

YEAS.

Mr. Arnold,	Mr. French,	Mr. Livermore,
Mr. Axford,	Mr. Gunning,	Mr. Magoon,
Mr. Babcock,	Mr. Hathaway,	Mr. Norvell,
Mr. Cooper,	Mr. Hawley,	Mr. Sanborn,
Mr. Dexter,	Mr. King,	Mr. Scott,
Mr. Dort,	Mr. Lewis,	Mr. Videtto,

18

NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Stuart,
Mr. Annable,	Mr. Humphrey,	Mr. Smith,
Mr. Ball,	Mr. Lamb,	Mr. Turner,
Mr. Bennett,	Mr. Little,	Mr. Walker,
Mr. Berry,	Mr. Littlejohn,	Mr. Wendell,
Mr. Blair,	Mr. Lothrop,	Mr. White,
Mr. Bush,	Mr. Mickie,	Mr. Wilson,
Mr. Crary,	Mr. Preston,	Mr. Wing,
Mr. Fessenden,	Mr. Rice,	Mr. Woodbury,
Mr. Goodwin,	Mr. Sheldon,	Mr. Speaker,
Mr. Hewitt,		

31

Mr. Rice moved to lay it on the table. Lost.

The question was then taken on inserting "Jackson," and the motion lost by the following vote :

YEAS.

Mr. Arnold,	Mr. French,	Mr. Preston,
Mr. Babcock,	Mr. Hathaway,	Mr. Sanborn,
Mr. Ball,	Mr. Hawley,	Mr. Scott,
Mr. Bennett,	Mr. Humphrey,	Mr. Turner,
Mr. Bush,	Mr. Magoon,	Mr. Videtto,
Mr. Cooper,	Mr. Mickie,	Mr. Speaker,
Mr. Fessenden,		

19

NAYS.

Mr. Anderson,	Mr. Hewitt,	Mr. Sheldon,
Mr. Annable,	Mr. Howell,	Mr. Stuart,
Mr. Axford,	Mr. King,	Mr. Smith,
Mr. Berry,	Mr. Lamb,	Mr. Walker,
Mr. Blair,	Mr. Lewis,	Mr. Wendell,
Mr. Crary,	Mr. Little,	Mr. White,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dort,	Mr. Livermore,	Mr. Wing,
Mr. Goodwin,	Mr. Lothrop,	Mr. Woodbury,
Mr. Gunning,	Mr. Norvell,	

29

Mr. Dexter moved to insert "Lyons, Ionia county." Lost.

Mr. Dexter moved to insert "Detroit." Lost.

Mr. Rice moved to insert "Ann Arbor," which was lost by the following vote :

YEAS.

Mr. Arnold,	Mr. Hawley,	Mr. Sanborn,
Mr. Babcock,	Mr. Hewitt,	Mr. Scott,
Mr. Bush,	Mr. Humphrey,	Mr. Sheldon,
Mr. Cooper,	Mr. Lewis,	Mr. Walker,
Mr. Fessenden,	Mr. Magoon,	Mr. White,
Mr. French,	Mr. Rice,	Mr. Speaker,
Mr. Hathaway,		

19

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Annable,	Mr. Gunning,	Mr. Preston,
Mr. Axford,	Mr. Howell,	Mr. Stuart,
Mr. Ball,	Mr. King,	Mr. Smith,
Mr. Bennett,	Mr. Lamb,	Mr. Turner,
Mr. Berry,	Mr. Little,	Mr. Videtto,
Mr. Blair,	Mr. Littlejohn,	Mr. Wendell,
Mr. Crary,	Mr. Livermore,	Mr. Wilson,
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,
Mr. Dort,	Mr. Mickle,	Mr. Woodbury,

30

Mr. Axford moved to insert "Pontiac." Lost.

Mr. Turner moved to insert "Howell." Lost.

The question was then taken on inserting "Saginaw," and lost.

Mr. Lamb moved an adjournment. Lost.

Mr. Dexter moved to reconsider the vote striking out "Marshall."

Mr. Livermore moved an indefinite postponement, which was lost by the following vote :

YEAS.

Mr. Arnold,	Mr. Gunning,	Mr. Livermore,
Mr. Axford,	Mr. Hathaway,	Mr. Magoon,

Mr. Babcock,	Mr. Hawley,	Mr. Norvell,	
Mr. Cooper,	Mr. King,	Mr. Sanborn,	
Mr. Dort,	Mr. Lamb,	Mr. Scott,	
Mr. French,	Mr. Lewis,	Mr. Videtto,	18

NAYS.

Mr. Anderson,	Mr. Hewitt,	Mr. Stuart,	
Mr. Annable,	Mr. Howell,	Mr. Smith,	
Mr. Ball,	Mr. Humphrey,	Mr. Turner,	
Mr. Bennett,	Mr. Little,	Mr. Walker,	
Mr. Berry,	Mr. Littlejohn,	Mr. Wendell,	
Mr. Blair,	Mr. Lothrop,	Mr. White,	
Mr. Bush,	Mr. Mickle,	Mr. Wilson,	
Mr. Crary,	Mr. Preston,	Mr. Wing,	
Mr. Dexter,	Mr. Rice,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Sheldon,	Mr. Speaker,	
Mr. Goodwin,			31

Mr. Lamb moved to lay Mr. Dexter's motion on the table. Lost.

Mr. Lamb moved to postpone the further consideration of the subject until the 17th February. Lost.

The question being now taken on the motion of Mr. Dexter to reconsider the vote striking out "Marshall," the House refused to reconsider by the following vote :

YEAS.

Mr. Anderson,	Mr. Dexter,	Mr. Stuart,	
Mr. Annable,	Mr. Goodwin,	Mr. Smith,	
Mr. Ball,	Mr. Howell,	Mr. Turner,	
Mr. Bennett,	Mr. Humphrey,	Mr. Wendell,	
Mr. Berry,	Mr. Little,	Mr. Wilson,	
Mr. Blair,	Mr. Littlejohn,	Mr. Wing,	
Mr. Bush,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Crary,	Mr. Preston,		23

NAYS.

Mr. Arnold,	Mr. Hawley,	Mr. Rice,	
Mr. Axford,	Mr. Hewitt,	Mr. Sanborn,	
Mr. Babcock,	Mr. King,	Mr. Scott,	
Mr. Cooper,	Mr. Lamb,	Mr. Sheldon,	
Mr. Dort,	Mr. Lewis,	Mr. Videtto,	
Mr. Fessenden,	Mr. Livermore,	Mr. Walker,	
Mr. French,	Mr. Magoon,	Mr. White,	
Mr. Gunning,	Mr. Norvell,	Mr. Speaker,	
Mr. Hathaway,			25

On motion of Mr. Lamb, the bill was laid upon the table.

The House now took up for consideration the amendments made by the Senate to the "Bill to abolish the office of county commissioner, and for other purposes."

Mr. Lothrop offered the following substitute for their first amendment, which was adopted :

Provided, That the city of Detroit shall be entitled to one supervisor for each ward in said city, and the assessor, elected for each ward at the annual charter election of said city, shall be the supervisor of his ward, and he shall perform all the duties required of the supervisors by this act

And the House concurred in all the other amendments of the Senate

Mr. Goodwin called up the "Bill to amend an act to incorporate the village of St. Joseph ;" and the House resolved itself into committee of the whole thereon ; Mr. Lewis in the chair.

After going through the same, the committee rose and reported the same back without amendment ; and,

On motion of Mr. Goodwin, the rule was suspended and said bill read the third time and passed.

The following message was announced from the executive, by his private secretary, Mr. Welch :

To the House of Representatives :

I have this day approved, signed and deposited in the office of secretary of state, the following act, viz :

"An act to vacate the present seat of justice of the county of Branch, and to establish the same at the village of Coldwater."

JOHN S. BARRY.

Executive Office, February 5, 1842.

On motion of Mr. Lothrop,

The House resolved itself into committee of the whole on the "Bill to abolish fees in criminal cases before justices of the peace, and for other purposes ;" Mr. Videtto in the chair.

After some time spent thereon, the committee rose and reported the same back to the House without amendment.

And the House adjourned until Monday morning at nine o'clock.

Monday, February 7, 1842.

All the members were present.

Prayer by the Rev. Mr. Grant.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Ball. The remonstrance of Oliver Miller and 40 other citizens of Lenawee county, against the repeal of the two-thirds act or appraisal law. Laid on the table.

By Mr. Humphrey. Claim of F. H. Hawley and others, for services before the investigating committee of 1840. Referred to the committee on claims.

By Mr. Sanborn. Of some of the inhabitants of the town of Lexington, St. Clair county, for a division of said township. Referred to the committee on towns and counties.

By Mr. Sanborn. A report of John Mullett of the examination of the Northern railroad. Referred to the committee on internal improvement.

By Mr. Sanborn. Also a communication from John Mullett, addressed to the commissioner of internal improvement. Referred to the committee on claims.

REPORTS.

Mr. Howell, from the select committee on physic and surgery, reported a "bill to modify the revised statutes relative to medical societies, and the regulations concerning the practice of physic and surgery," which was referred to the committee of the whole.

Mr. Hanscom from the committee on the judiciary reported a "bill to authorize R. P. Mason to build a dam across the Shiawassee river, which was referred to the committee of the whole.

Mr. Videtto, from the committee on roads and bridges, reported "A bill to authorize the building of certain dams therein named," which was referred to the committee of the whole.

Mr. Norvell, from the committee on ways and means, to whom was referred the petition of Arthur Edwards, and the resolution relative to the Pontiac railroad, reported the same back, and asked and obtained a discharge for the committee from the further consideration of the same.

Mr. Norvell, from the same committee, to whom was referred the

petition of Benjamin Porter, reported "A bill to provide for the settlement of the claim of Benjamin Porter," which was referred to the committee of the whole.

Mr. Norvell, from the same committee, reported "A bill to provide for the collection of certain assets transferred to the state, and for other purposes," which was ordered to be printed, and made the special order for to-morrow.

Mr. Goodwin, from the select committee, to whom was referred the bill to repeal the charters of certain banks, and for other purposes, reported as a substitute therefor, "A bill to annul the corporate rights of certain banks and for other purposes," which was ordered printed, and made the special order for Wednesday.

And the bill entitled "A bill to repeal the charters of certain banks, and for other purposes," was also placed on the special order for Wednesday.

Mr. Littlejohn, from the select committee on election of members of congress, to whom was referred the Senate "Bill to provide for the future elections of members of congress in this state," reported the same back without amendment; and it was referred to the committee of the whole.

Mr. Wing, from the committee on internal improvement, made a general report, accompanied by a bill entitled "An act to provide for the completion of certain works of internal improvement, and for other purposes," which report and bill was ordered printed, and the bill made the special order for Thursday.

On motion of Mr. Crary, three hundred extra copies of the report of Mr. Wing was ordered printed.

Mr. Norvell, from the committee on ways and means, to whom was referred the Senate joint resolution relative to a settlement with William Ford & Sons, reported the same back to the House with an amendment which was concurred in, and the resolution as amended was adopted.

Mr. Stuart, from the judiciary committee, to whom was referred the Senate bill to amend chapter one, title four, part three of the revised statutes, entitled of proceedings against debtors by attachment, reported the same back without amendment.

Also "A bill to abolish the license law."

Also "A bill to amend the justices act," with amendments.

All of which several bills were referred to the committee of the whole.

Mr. Stuart, from the committee on university and school lands, to whom was referred the Senate bill to reduce the price of university and school lands, and for other purposes, reported the same back with sundry amendments, which, with the bill, were referred to the committee of the whole.

Mr. Stuart, from the same committee, reported a bill for the relief of Stanton Taft and Jacob Beeson, which was referred to the committee of the whole.

Mr. Annable, from the select committee, to whom was referred the annual report of the state geologist, made a general report thereon, concluding with the following resolution :

Resolved, That the committee on ways and means be instructed to include in the general appropriation bill, the sum of twenty-two hundred dollars for the completion of the geological survey, and for supervision of the state salt springs.

And said report and resolution were laid on the table and ordered printed.

Mr. Bennett, pursuant to notice, obtained leave to introduce a bill to amend chapter two and three of the revised statutes, relative to notifying elections, &c., which bill was referred to the select committee on taxation.

Mr. Bush, pursuant to notice, obtained leave to introduce a bill to amend chapter six, title one, part three of the revised statutes relative to attorneys, solicitors and counsellors, which was referred to the committee of the whole.

Mr. Livermore, pursuant to notice, obtained leave to introduce a bill to incorporate the Baptist convention of the state of Michigan, which was referred to the committee on banks and incorporations.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House a joint preamble and resolution authorizing the settlement of certain claims by the board of internal improvement, which the Senate have adopted, and respectfully ask the concurrence therein by the House.

And said resolution was referred to the committee on ways and means.

A report was received from the secretary of state, in compliance with a resolution of the House, covering an abstract of the returns of the overseers of the poor of the several counties, which, with the report, was ordered to be printed.

UNFINISHED BUSINESS.

Mr. Stuart moved a suspension of the special order, which motion was lost.

Mr. Fessenden then called for the special order, being the bill to authorize the superintendent of public instruction to loan a sum of money to the trustees of the Wesleyan seminary at Albion.

On motion of Mr. Norvell,

The committee of the whole were discharged from the further consideration of said bill, and the same was taken up by the House; and,

On motion of Mr. Fessenden,

The blank was filled with the words, "not exceeding ten," and the following proviso added to the bill:

"And provided further, That said trustees shall insure and keep insured, in some safe insurance company, the buildings on the premises, at two-thirds the value thereof, which may be mortgaged as aforesaid, and assign the policy or policies of insurance to the said superintendent."

And the question being taken on ordering said bill engrossed, it was so ordered, by yeas and nays, as follows:

YEAS.

Mr. Anderson,	Mr. Hanscom,	Mr. Magoon,
Mr. Ball,	Mr. Hawley,	Mr. Norvell,
Mr. Berry,	Mr. Hewitt,	Mr. Preston,
Mr. Cooper,	Mr. Howell,	Mr. Stuart,
Mr. Crary,	Mr. Humphrey,	Mr. Turner,
Mr. Dort,	Mr. King,	Mr. Videtto,
Mr. Fessenden,	Mr. Littlejohn,	Mr. Wendell,
Mr. Goodwin,	Mr. Livermore,	Mr. White,
Mr. Gunning,	Mr. Lothrop,	Mr. Speaker,

NAYS.

Mr. Annable,	Mr. Dexter,	Mr. Sanborn,
Mr. Arnold,	Mr. French,	Mr. Scott,
Mr. Axford,	Mr. Hathaway,	Mr. Sheldon,
Mr. Babcock,	Mr. Lamb,	Mr. Smith,

Mr. Bennett,
Mr. Blair,
Mr. Bush,
Mr. Chipman,

Mr. Lewis,
Mr. Little,
Mr. Mickle,
Mr. Rice,

Mr. Walker,
Mr. Wilson,
Mr. Woodbury,

23

On motion of Mr. Fessenden,

The committee of the whole were discharged from the further consideration of the bill to amend an act entitled an act to amend the revised statutes relative to primary schools, passed April 1, 1840, and said bill was taken up by the House ; and,

On motion of Mr. Howell, the rule was suspended, the bill read a third time and passed.

On motion of Mr. Stuart,

The House resolved itself into committee of the whole on the bill to reduce the price of university and school lands, and for other purposes, together with the amendments thereto, submitted by the judiciary committee, Mr. Chipman in the chair.

After going through the same, the committee rose and reported the bill back to the House, recommending the adoption of said amendments ; and the House concurred therein and ordered the bill to be printed.

And the House adjourned until half past two o'clock, P. M.

Afternoon Session.

There being a quorum present, Mr. Norvell asked and obtained consent to withdraw the bill reported by him this morning, "to provide for the settlement of the account of Benjamin Porter."

Mr. Norvell called up the Senate "bill to cede jurisdiction over a certain tract of land," and the same being under consideration,

On motion of Mr. Norvell, the following proviso, was offered and adopted as a substitute for the proviso in the bill :

Provided, That if, in the execution of the work for which the said cession is made, it should become necessary to vacate any road or highway now running through the said lands, another highway or road of equal width, varying as little as may be consistent with the military object in view from the present route of said road or highway, shall be opened and put into good condition for traveling at the expense of the United States.

And the said bill as amended was read a third time and passed.

On motion of Mr. Norvell,

The House resolved itself into committee of the whole on the bill and substitute for the "bill to exempt certain property from execution or sale for any debt, damages, fine or amercement," Mr. Hanscom in the chair.

After some time spent thereon, the committee rose and reported the same back with sundry amendments, and asked the concurrence of the House, and the questions being taken separately on each amendment, they were severally adopted.

Mr. Stuart proposed the following amendment to come in fourteenth line after the word "householder":

"One pair of horses, one sett of double harness, one lumber wagon, and one lumber sleigh, to every person whose principal business is teaming."

Which motion was lost.

Mr. Berry offered the following amendment to come in at the end of the first section.

"Unless the same was purchased prior to the passage of this act, and is exempt by the provision of existing laws."

Mr. Howell offered as a substitute therefor: "Except what is now exempt in the revised statutes."

Mr. Norvell moved to strike out the proviso and the same prevailed.

Mr. Bush offered the following amendment:

"The provisions of this act shall not extend to executions issued upon any debt contracted prior to the first day of March next."

The yeas and nays being called, the motion was lost, as follows:

YEAS.

Mr. Axford,	Mr. French,	Mr. Sheldon,
Mr. Babcock,	Mr. Gunning,	Mr. Walker,
Mr. Ball,	Mr. Hathaway,	Mr. Wendell,
Mr. Bennett,	Mr. Hewitt,	Mr. White,
Mr. Berry,	Mr. Magoon,	Mr. Wilson,
Mr. Bush,	Mr. Rice,	Mr. Woodbury,
Mr. Dort,	Mr. Sanborn,	Mr. Speaker,
Mr. Fessenden,	Mr. Scott,	

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NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Mickle,
Mr. Annable,	Mr. Humphrey,	Mr. Norvell,

Mr. Arnold,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hawley,

Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wing,

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Mr. Stuart offered the following as a substitute for the whole bill :

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That the household and kitchen furniture of every housekeeper; the wearing apparel of every person and family ; the library of every individual and family ; every literary, scientific, philosophical and religious institution or association, including the cabinets of mineralogy, chemistry, conchology, and philosophical apparatus of the same ; types, presses and other materials of every printing office, not exceeding five hundred dollars in value ; the tools and implements of trade necessary to enable the mechanic to carry on his business ; all spinning wheels and weaving looms with their apparatus used in families ; the pews, slips and cemeteries or burial grounds, belonging to every church, or member of a church, meeting, society or congregation ; one fishing skiff or boat, nets and other necessary apparatus to every person whose principal occupation or business is that of fishing, not exceeding in each case one hundred dollars in value ; all arms and military equipage for man and horse ; two cows, ten sheep, with the wool and cloth manufactured from the same, five hogs, and twenty fowls, belonging to each householder ; two horses with their harnesses, one saddle with a riding apparatus, one wagon or carriage, one dray or cart, and one sleigh, belonging to and used by each householder, professional person, teamster or drayman ; two horses with their harnesses, two oxen with their yoke and chains, two ploughs, one harrow, one wagon, one cart, one sleigh, with every other necessary implement of husbandry, together with three cows, twenty-five sheep with the wool and cloth manufactured from the same, ten hogs and twenty fowls to each practical farmer ; a sufficient quantity of hay, grain, feed, and roots, for sustaining and keeping the live stock hereinbefore severally allowed to each class of persons for six months, and the requisite provisions for the comfortable subsistence of every family or house keeper for six months, shall be, and the same are hereby,

exempted from execution, or sale for any debt, damages, fine or amercement whatever.

Sec. 2. The word person used in the preceding section of this act, shall not be construed to extend to any body corporate or politic.

Sec. 3. All acts and parts of acts heretofore passed, and now in force, for the exemption of property from execution, or sale for any debt, damages, fine or amercement, are hereby repealed.

Sec. 4. This act shall take effect, and be in force from and after passage.

Mr. Bush moved for a call of the House, which motion prevailed, and Mr. Chipman was absent.

Mr. Stuart moved to suspend further proceedings, which motion prevailed.

The question was then taken on Mr. Stuart's amendment, and lost by ayes and noes, as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Babcock,
Mr. Bennett,
Mr. Blair,
Mr. Crary,
Mr. Dexter,

Mr. Goodwin,
Mr. Hawley,
Mr. Humphrey,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,

Mr. Mickle,
Mr. Norvell,
Mr. Stuart,
Mr. Videtto,
Mr. Wing,
Mr. Speaker,

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NAYS.

Mr. Arnold,
Mr. Axford,
Mr. Ball,
Mr. Berry,
Mr. Bush,
Mr. Cooper,
Mr. Dort,
Mr. Fessenden,
Mr. French,
Mr. Gunning,
Mr. Hanscom,

Mr. Hathaway,
Mr. Hewitt,
Mr. Howell,
Mr. King,
Mr. Lamb,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,
Mr. Preston,
Mr. Rice,

Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Woodbury,

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Mr. Dexter moved to amend by inserting the following after the word "months" in the nineteenth line :

"Every person whose principal business is farming shall hold exempt from execution, for the collection of any debt contracted after the first of April next, forty acres of land for his own use and cultivation, not exceeding in value six hundred dollars."

Mr. Stuart moved to strike out the words "forty acres of," which motion was lost.

The question being taken on Mr. Dexter's amendment, it was adopted by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Gunning,	Mr. Sanborn,
Mr. Annable,	Mr. Hathaway,	Mr. Stuart,
Mr. Babcock,	Mr. Hawley,	Mr. Videtto,
Mr. Bennett,	Mr. Lewis,	Mr. Walker,
Mr. Bush,	Mr. Little,	Mr. White,
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dexter,	Mr. Mickle,	Mr. Woodbury,
Mr. French,	Mr. Norvell,	Mr. Speaker,
Mr. Goodwin,	Mr. Rice,	

26

NAYS.

Mr. Arnold,	Mr. Hewitt,	Mr. Magoon,
Mr. Axford,	Mr. Howell,	Mr. Preston,
Mr. Ball,	Mr. Humphrey,	Mr. Scott,
Mr. Berry,	Mr. King,	Mr. Sheldon,
Mr. Blair,	Mr. Lamb,	Mr. Smith,
Mr. Cooper,	Mr. Livermore,	Mr. Turner,
Mr. Fessenden,	Mr. Lothrop,	Mr. Wendell,
Mr. Hanscom,		

22

Mr. Livermore offered the following amendment :

"All laws and parts of laws now in force requiring personal property to be appraised before it shall be sold on execution, are hereby repealed."

The question being taken by yeas and nays, the same was lost by the following vote :

YEAS.

Mr. Arnold,	Mr. Dort,	Mr. Livermore,
Mr. Axford,	Mr. Fessenden,	Mr. Lothrop,
Mr. Babcock,	Mr. French,	Mr. Scott,
Mr. Bush,	Mr. Gunning,	Mr. Wendell,
Mr. Cooper,	Mr. Hanscom,	Mr. Wilson,

15

NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,
Mr. Annable,	Mr. Humphrey,	Mr. Sheldon,
Mr. Ball,	Mr. King,	Mr. Stuart,
Mr. Bennett,	Mr. Lamb,	Mr. Smith,
Mr. Berry,	Mr. Lewis,	Mr. Turner,
Mr. Blair,	Mr. Littlejohn,	Mr. Videtto,
Mr. Crary,	Mr. Magoon,	Mr. Walker,
Mr. Dexter,	Mr. Mickle,	Mr. White,

Mr. Goodwin,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,

Mr. Norvell,
Mr. Preston,
Mr. Rice,

Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

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Mr. Gunning then offered the following amendment :

Provided, also, That the provisions of this bill shall only apply to contracts made after the first day of March next, and the property exempt from execution now shall still remain exempt from execution on all contracts made before the first day of March, A. D. 1842.

The question being taken by yeas and nays, the motion was lost :

YEAS.

Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Berry,
Mr. Bush,
Mr. Cooper,
Mr. Dort,
Mr. Fessenden,

Mr. French,
Mr. Gunning,
Mr. Hathaway,
Mr. Magoon,
Mr. Rice,
Mr. Sanborn,
Mr. Scott,

Mr. Sheldon,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Wilson,
Mr. Woodbury,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Bennett,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hawley,

Mr. Hewitt,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,

Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Wing,

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Mr. Norvell now called for the previous question, and the question on putting the previous question being taken by yeas and nays, prevailed, as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Babcock,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,

Mr. Hanscom,
Mr. Hawley,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,

Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Videtto,
Mr. Wing,

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NAYS.

Mr. Ball,	Mr. Hewitt,	Mr. Turner,
Mr. Cooper,	Mr. Lamb,	Mr. Walker,
Mr. Dort,	Mr. Magoon,	Mr. Wendell,
Mr. Fessenden,	Mr. Rice,	Mr. White,
Mr. French,	Mr. Sanborn,	Mr. Wilson,
Mr. Gunning,	Mr. Scott,	Mr. Woodbury,
Mr. Hathaway,	Mr. Sheldon,	Mr. Speaker,
		21

The question being then taken on ordering the bill engrossed, it was so ordered by the following vote :

YEAS.

Mr. Anderson,	Mr. Hawley,	Mr. Mickle,
Mr. Annable,	Mr. Howell,	Mr. Norvell,
Mr. Bennett,	Mr. Humphrey,	Mr. Preston,
Mr. Berry,	Mr. King,	Mr. Stuart,
Mr. Blair,	Mr. Lamb,	Mr. Smith,
Mr. Crary,	Mr. Lewis,	Mr. Turner,
Mr. Dexter,	Mr. Little,	Mr. Videtto,
Mr. Goodwin,	Mr. Littlejohn,	Mr. Wing,
Mr. Hanscom,	Mr. Lothrop,	
		26

NAYS.

Mr. Arnold,	Mr. French,	Mr. Scott,
Mr. Axford,	Mr. Gunning,	Mr. Sheldon,
Mr. Babcock,	Mr. Hathaway,	Mr. Walker,
Mr. Ball,	Mr. Hewitt,	Mr. Wendell,
Mr. Bush,	Mr. Livermore,	Mr. White,
Mr. Cooper,	Mr. Magoon,	Mr. Wilson,
Mr. Dort,	Mr. Rice,	Mr. Woodbury,
Mr. Fessenden,	Mr. Sanborn,	Mr. Speaker,
		24

The following message was announced from the executive, by his private secretary, Mr. Welch :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "A joint resolution in relation to the claims of certain companies of Michigan militia."

JOHN S. BARRY.

Executive Office, February 7, 1842.

And the Hosue adjourned until to-morrow morning at nine o'clock.

Tuesday, February 8, 1842.

The members all present, except Mr. Wing.

Prayer by the Rev. A. M. Fitch.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Turner. Three several petitions of citizens of Shiawassee county, for an appropriation on the Shiawassee river. Referred to the committee on internal improvement.

By Mr. Littlejohn. Of inhabitants of Allegan county to erect a bridge across Kalamazoo river at Richmond and for other purposes. Referred to the committee on roads and bridges.

By Mr. Dort. Of D. Thompson, sheriff of Wayne county, praying for an alteration of the law regulating sheriff fees, and also for the removal of convicts after sentence to the state prison. Referred to the judiciary committee.

By Mr. Bush. Of R. D. Powers and others, relative to sheriffs' duties. Referred to the judiciary committee.

By Mr. Preston. Six several petitions of citizens of St. Joseph county, against legalizing certain acts of their county commissioners. Laid on the table.

By Mr. Preston. Of citizens of St. Joseph and Branch counties, praying a survey of a certain road. Referred to the committee on roads and bridges.

REPORTS.

Mr. Crary, from the committee of conference, on the bill to abolish the office of state printer, reported that they have adopted the Senate bill with a proviso to the third section, to come after "paper" in the third line, which proviso is the third section of the House bill, after word "and" in third line.

The question being on concurring in the report of the committee, and debate arising thereon,

Mr. Livermore called for the previous question, and being sustained,

Mr. Norvell called for the yeas and nays, and the question being taken, the House concurred in the report by the following vote :

YEAS.

Mr. Arnold,	Mr. French,	Mr. Magoon,
Mr. Axford,	Mr. Gunning,	Mr. Preston,
Mr. Babcock,	Mr. Hanscom,	Mr. Scott,
Mr. Bennett,	Mr. Hathaway,	Mr. Sheldon,
Mr. Bush,	Mr. Hawley,	Mr. Stuart,
Mr. Chipman,	Mr. Hewitt,	Mr. Videtto,
Mr. Cooper,	Mr. Howell,	Mr. Walker,
Mr. Dexter,	Mr. Lewis,	Mr. Wendell,
Mr. Dort,	Mr. Livermore,	Mr. Woodbury,
Mr. Fessenden,	Mr. Lothrop,	Mr. Speaker,

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NAYS.

Mr. Anderson,	Mr. Humphrey,	Mr. Norvell,
Mr. Annable,	Mr. King,	Mr. Rice,
Mr. Ball,	Mr. Lamb,	Mr. Sanborn,
Mr. Blair,	Mr. Little,	Mr. Smith,
Mr. Crary,	Mr. Littlejohn,	Mr. Turner,
Mr. Goodwin,	Mr. Mickie,	Mr. Wilson,

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On motion of Mr. Stuart, said vote was reconsidered, and the bill and report laid on the table.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred the Senate "bill to prevent illegal banking," reported the same back without amendment.

Mr. Goodwin, from the same committee, to whom was referred the petition of sundry citizens of the village of Ypsilanti, praying that their incorporation may be dissolved, reported adverse to the petitioners, and the committee were discharged from the further consideration of the subject.

Mr. Goodwin, from the committee on banks and incorporations, to whom was referred the petition and remonstrance of certain citizens of Jackson for an incorporation of that place, reported that the bill committed to the consideration of the committee, with the petition and remonstrance, is nearly in the usual form of village corporations, and no objectionable features have been discovered in it. The committee take this occasion to remark that the remonstrance against the incorporation of said village, though less numerously signed than the petition, is full of good sense, and deserves great consideration, when the legislature are acting upon village incorporations.

And the said bill and accompanying papers were referred to the committee of the whole.

Mr. Livermore, from the committee on claims, to whom was referred the claim of C. W. Millerd, for work done on the Clinton and Kalamazoo canal, asked to be discharged from its further consideration, believing it to be a matter which should be arranged by the engineer and commissioners with the original contractor.

And the committee were so discharged.

Mr. Little, from the committee for the organization of towns and counties, to whom had been referred sundry petitions for the organization of towns and for other purposes, submitted a bill entitled "An act to organize certain townships, and for other purposes," which was referred to the committee of the whole and ordered printed.

Mr. Little, from the committee on towns and counties, to whom was referred several petitions and remonstrances of sundry citizens of Jackson county, asking for a portion of the town of Henrietta to be attached to the town of Leoni, and remonstrance against said alteration, asked for and obtained the discharge of the committee from the further consideration of the subject.

Mr. Videtto, from the committee on roads and bridges, who had under consideration the petition of F. I. Provost and others, for a state road from Fentonville, in the county of Genesee, to Byron, in the county of Shiawassee, reported adverse to the prayer of the petitioners, and the committee were discharged from its further consideration.

Mr. Videtto, from the same committee having also considered the petitions and remonstrances of the inhabitants of Avon, Oakland county, praying for the passage of an act establishing all roads and parts of roads which have been traveled and considered as roads for the term of ten years, reported adverse to the prayer of the petitioners, and the committee were discharged from a further consideration of the subject.

Mr. Videtto, from the same committee, having considered the petition of the inhabitants of Eaton county, asking for an appropriation of \$5,000 on the Clinton and Grand river road, and asking for an alteration in the same; also for a state road in town number six, north of range number nine west, reported the same back to the House, and the same was referred to the committee on internal improvement.

Mr. Videtto also, from the same committee, reported a "bill to

provide for laying out and establishing certain state roads therein named," which bill was referred to the committee of the whole.

Mr. Berry, pursuant to notice, obtained leave to introduce a "bill to organize a separate township in Branch county," and on his motion, the rule was suspended, and the same was referred to the committee of the whole.

MESSAGES FROM THE SENATE.

The following messages from the Senate, by their messenger, Horace S. Roberts, was announced :

A message returning to the House, "A bill to abolish the office of county commissioners, and for other purposes," and to inform the House that the Senate have concurred in the House substitute for the Senate's first amendment thereto.

And the said bill was ordered to be enrolled.

A message transmitting to the House "A joint resolution relative to treasury notes," which the Senate have adopted, and respectfully asking the concurrence of the House therein.

Also, returning to the House, "A joint preamble and resolution, relative to the survey of a route for a military road by the general government, leading from Saginaw to Mackinac," and inform the House that the Senate have concurred therein.

Also, to transmit a bill to provide for the forfeiture of non-resident lands, and for other purposes, which the Senate have passed, and respectfully ask the concurrence of the House therein.

And the House concurred in the joint resolution relative to treasury notes—

Ordered the preamble and resolution, relative to a military road, to be enrolled, and

Referred the bill to provide for the forfeiture of non-resident lands and for other purposes, to the select committee on taxation.

Mr. Hanscom, from the committee on revision, reported back to the House as correct "A bill to authorize the superintendent of public instruction to loan a sum of money to the trustees of the Wesleyan seminary at Albion," and, also, "A bill to exempt certain property from execution, or sale for any debt, damages, fine or amercement."

Mr. King, from the committee on enrolment, reported as correctly engrossed, a substitute for "A bill to exempt certain property from

execution, or sale for any debt, damages, fine or amercement ; and
 “A bill to authorize the superintendent of public instruction, to loan
 a certain sum of money to the trustees of the Wesleyan seminary at
 Albion.”

RESOLUTIONS.

Mr. Wilson offered the following preamble and joint resolution :

Whereas, The energy and military skill of General Jackson at
 New Orleans, during the campaign of 1814 and 1815, have repeat-
 edly received the approbation of the American people :

Whereas, Congress on the 15th day of February, 1815, voted
 thanks to that illustrious citizen, for gallantry and good conduct at
 New Orleans, and directed a gold medal to be struck and presented
 to him in testimony of the high sense entertained by Congress, of
 events so memorable, and services so eminent :

Whereas, Dominick A. Hall, judge of the United States for the
 district of Louisiana, did impose a fine of one thousand dollars on
 General Andrew Jackson, for an alleged contempt of his authority,
 and by him paid into the hands of the marshal of said district ; and
 the citizens of New Orleans, in token of the high esteem they held
 his services, did offer to refund the fine imposed, but with a magna-
 nimity that always marked his conduct, refused, but requested them
 to give the sum to the widows of the soldiers who died in defending
 their country. Therefore

Resolved, (the Senate concurring,) That our Senators be instructed
 and our Representative in Congress be requested, to use their best
 efforts to procure the passage of a law directing that the fine imposed
 upon General Jackson, be refunded to him with cost and interest on
 the same from the day of the payment thereof.

On motion of Mr. Wilson, the rule was suspended, and the reso-
 lution adopted by the following vote :

YEAS.

Mr. Anderson,
 Mr. Annable,
 Mr. Arnold,
 Mr. Axford,
 Mr. Babcock,
 Mr. Ball,
 Mr. Bennett,
 Mr. Berry,

Mr. French,
 Mr. Goodwin,
 Mr. Gunning,
 Mr. Hanscom,
 Mr. Hathaway,
 Mr. Hawley,
 Mr. Hewitt,
 Mr. Howell,

Mr. Mickle,
 Mr. Norvell,
 Mr. Rice,
 Mr. Sanborn,
 Mr. Scott,
 Mr. Sheldon,
 Mr. Stuart,
 Mr. Videtto,

Mr. Blair,	Mr. King,	Mr. Walker,	
Mr. Bush,	Mr. Lewis,	Mr. Wendell,	
Mr. Chipman,	Mr. Littlejohn,	Mr. White,	
Mr. Cooper,	Mr. Livermore,	Mr. Wilson,	
Mr. Crary,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Magoon,	Mr. Speaker,	42

NAYS.

Mr. Dexter,	Mr. Little,	Mr. Smith,	
Mr. Lamb,	Mr. Preston,	Mr. Turner,	6

The question being on the adoption of the preamble, Mr. Lamb offered the following amendment, which was lost :

“ *And whereas*, The wants of the people of this state require our undivided attention to their interests.”

The preamble was then adopted.

Mr. Stuart offered the following joint resolution, and on his motion the rule was suspended, and it was adopted :

Resolved by the Senate and House of Representatives, That the joint committee to contract for the public printing be, and they are hereby instructed to contract as soon as may be, for the performing of all the public printing not already by them contracted for, and that they procure the same to be printed by the Detroit Free Press, provided the price shall meet their approval, and report to the Senate and House of Representatives what they shall have done in the premises.

On motion of Mr. Crary,

Resolved, That the state geologist communicate to this House the number of salt springs selected for the use of the state, and where the same are situated.

NOTICES.

Mr. Littlejohn gave notice that he would, at some future day, ask leave to introduce a bill to authorize the highway commissioners of the township of Manlius, in the county of Allegan, to erect a bridge across the Kalamazoo river, in said township.

The Speaker announced as on the order for the third reading, the “ Bill to authorize the superintendent of public instruction to loan a sum of money to the trustees of the Wesleyan seminary at Albion,” when,

On motion of Mr. Lothrop, said bill was laid on the table.

The Speaker announced for a third reading, the “ Bill to exempt

certain property from execution, or sales for any debt, fine or amercement," when,

Mr. Preston moved a reconsideration of the vote ordering said bill engrossed.

On motion of Mr. Lamb,

The sergeant-at-arms was directed to notify certain members in the library, that the bill was under consideration.

Mr. Preston moved that the motion to reconsider be laid on the table, which motion was lost by yeas and nays, as follows :

YEAS.

Mr. Annable,	Mr. Howell,	Mr. Preston,
Mr. Ball,	Mr. Humphrey,	Mr. Stuart,
Mr. Berry,	Mr. Lamb,	Mr. Smith,
Mr. Blair,	Mr. Lewis,	Mr. Turner,
Mr. Bush,	Mr. Lothrop,	Mr. White,
Mr. Cooper,	Mr. Magoon,	Mr. Woodbury,
Mr. Hanscom,	Mr. Norvell,	

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NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Sanborn,
Mr. Babcock,	Mr. Hawley,	Mr. Scott,
Mr. Bennett,	Mr. Hewitt,	Mr. Sheldon,
Mr. Crary,	Mr. King,	Mr. Videtto,
Mr. Dexter,	Mr. Little,	Mr. Walker,
Mr. Dort,	Mr. Littlejohn,	Mr. Wendell,
Mr. Fessenden,	Mr. Livermore,	Mr. Wilson,
Mr. French,	Mr. Mickle,	Mr. Speaker,
Mr. Goodwin,		

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Mr. Crary moved to recommit the bill to the committee of the whole, with instructions to strike out the provision respecting the forty acres of land, which motion was lost by yeas and nays as follows:

YEAS.

Mr. Annable,	Mr. Howell,	Mr. Magoon,
Mr. Berry,	Mr. Humphrey,	Mr. Mickle,
Mr. Blair,	Mr. King,	Mr. Norvell,
Mr. Cooper,	Mr. Lewis,	Mr. Preston,
Mr. Crary,	Mr. Little,	Mr. Stuart,
Mr. Dexter,	Mr. Littlejohn,	Mr. Smith,
Mr. Goodwin,	Mr. Lothrop,	Mr. Videtto,
Mr. Hanscom,		

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NAYS.

Mr. Anderson,	Mr. French,	Mr. Scott,
Mr. Axford,	Mr. Gunning,	Mr. Sheldon,

Mr. Babcock,	Mr. Hathaway,	Mr. Turner,
Mr. Ball,	Mr. Hawley,	Mr. Walker,
Mr. Bennett,	Mr. Hewitt,	Mr. Wendell,
Mr. Bush,	Mr. Lamb,	Mr. White,
Mr. Chipman,	Mr. Livermore,	Mr. Wilson,
Mr. Dort,	Mr. Rice,	Mr. Woodbury,
Mr. Fessenden,	Mr. Sanborn,	Mr. Speaker,

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Mr. Lothrop moved to lay the bill on the table, which motion was lost.

Mr. Norvell moved a reconsideration of said vote refusing to lay the bill on the table, which prevailed by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Hanscom,	Mr. Lothrop,
Mr. Annable,	Mr. Howell,	Mr. Mickle,
Mr. Arnold,	Mr. Humphrey,	Mr. Norvell,
Mr. Bennett,	Mr. King,	Mr. Preston,
Mr. Berry,	Mr. Lamb,	Mr. Sheldon,
Mr. Blair,	Mr. Lewis,	Mr. Stuart,
Mr. Cooper,	Mr. Little,	Mr. Smith,
Mr. Crary,	Mr. Littlejohn,	Mr. Turner,
Mr. Dexter,	Mr. Livermore,	Mr. White,
Mr. Goodwin,		

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NAYS.

Mr. Axford,	Mr. Gunning,	Mr. Scott,
Mr. Babcock,	Mr. Hathaway,	Mr. Videtto,
Mr. Ball,	Mr. Hawley,	Mr. Walker,
Mr. Bush,	Mr. Hewitt,	Mr. Wendell,
Mr. Chipman,	Mr. Magoon,	Mr. Wilson,
Mr. Dort,	Mr. Rice,	Mr. Woodbury,
Mr. Fessenden,	Mr. Sanborn,	Mr. Speaker,
Mr. French,		

22

The question now being taken on laying on the table, the same prevailed.

On motion of Mr. Norvell,

The House resolved itself into committee of the whole on the Senate "Bill to provide for the redemption of treasury notes;" Mr. Livermore in the chair.

After some time spent thereon, the committee rose, reported progress and asked and obtained leave to sit again.

And the House adjourned until half past two o'clock, P. M.

Afternoon Session.

The Speaker announced a communication from Messrs. Dawson &

Bates, transmitting their account for printing, which was referred to the committee on printing.

MESSAGE FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House "A bill to extend the provisions of an act entitled 'an act to provide for a ferry at Saginaw.'"

Also, "A bill granting to certain debtors to the state, the privilege of paying the state in state bonds," which the Senate have passed, and respectfully ask the concurrence therein of the House.

And the rule being suspended, said bills were referred to the committee of the whole.

On motion of Mr. Norvell,

The House again resolved itself into committee of the whole on the Senate bill to provide for the redemption of treasury notes, Mr. Livermore in the chair.

After some time spent thereon, the committee rose and reported the House bill as a substitute for the bill under consideration, and asked the concurrence of the House therein.

The question being taken by yeas and nays, the House refused to concur, by the following vote :

YEAS.

Mr. Anderson,	Mr. Hathaway,	Mr. Sanborn,
Mr. Annable,	Mr. Hawley,	Mr. Stuart,
Mr. Arnold,	Mr. Humphrey,	Mr. Turner,
Mr. Ball,	Mr. Lamb,	Mr. Videtto,
Mr. Blair,	Mr. Lewis,	Mr. Walker,
Mr. Chipman,	Mr. Lothrop,	Mr. Wilson,
Mr. Crury,	Mr. Norvell,	Mr. Woodbury,
Mr. Dexter,		

22

NAYS.

Mr. Axford,	Mr. Gunning,	Mr. Preston,
Mr. Babcock,	Mr. Hanscom,	Mr. Rice,
Mr. Berry,	Mr. Hewitt,	Mr. Scott,
Mr. Bush,	Mr. Howell,	Mr. Sheldon,
Mr. Cooper,	Mr. King,	Mr. Smith,
Mr. Dort,	Mr. Littlejohn,	Mr. Wendell,
Mr. Fessenden,	Mr. Livermore,	Mr. White,
Mr. French,	Mr. Mickle,	Mr. Speaker,
Mr. Goodwin,		

25

Mr. Crary moved to strike out the third section of the bill, and

called for the yeas and nays, and the question being taken, the motion prevailed, as follows :

YEAS.

Mr. Arnold,	Mr. Hanscom,	Mr. Magoon,
Mr. Axford,	Mr. Hathaway,	Mr. Preston,
Mr. Babcock,	Mr. Hawley,	Mr. Rice,
Mr. Berry,	Mr. Hewitt,	Mr. Sheldon,
Mr. Bush,	Mr. Humphrey,	Mr. Smith,
Mr. Cooper,	Mr. Lamb,	Mr. Turner,
Mr. Crary,	Mr. Lewis,	Mr. Videtto,
Mr. Fessenden,	Mr. Littlejohn,	Mr. Walker,
Mr. Goodwin,	Mr. Livermore,	Mr. White,
Mr. Gunning,	Mr. Lothrop,	Mr. Speaker,
		30

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Sanborn,
Mr. Annable,	Mr. French,	Mr. Scott,
Mr. Ball,	Mr. Howell,	Mr. Stuart,
Mr. Bennett,	Mr. King,	Mr. Wendell,
Mr. Chipman,	Mr. Mickle,	Mr. Wilson,
Mr. Dexter,	Mr. Norvell,	Mr. Woodbury,
		18

Mr. Crary then moved to strike out the fourth section and insert the following in lieu thereof, of section fourth, House substitute :

“Sec. 4. Gold and silver, treasury notes heretofore emitted, or bills of sound specie paying banks, at the discretion and upon the responsibility of the receiving officer or officers, shall alone be receivable for any debt, taxes or other dues coming to the state : *Provided*, That delinquent tax bonds heretofore issued, or which may hereafter be issued, and the coupons thereon, as they severally become due, may be received in payment of delinquent taxes.

Mr. Howell moved to strike out the words, “the notes of sound specie paying banks,” which was lost.

The question being taken on Mr. Crary’s motion, it prevailed.

Mr. Dexter moved to strike out the words, in the fourth line, “as they severally become due.”

Mr. Rice to strike out the whole of the proviso, which was lost.

The question being on Mr. Dexter’s motion, it was lost as follows, by yeas and nays :

YEAS.

Mr. Bush,	Mr. French,	Mr. Lamb,
Mr. Dexter,	Mr. Hathaway,	Mr. Turner,
		6

NAYS.

Mr. Anderson,	Mr. Gunning,	Mr. Preston,
Mr. Annable,	Mr. Hanscom,	Mr. Rice,
Mr. Arnold,	Mr. Hawley,	Mr. Sanborn,
Mr. Axford,	Mr. Hewitt,	Mr. Scott,
Mr. Babcock,	Mr. Howell,	Mr. Sheldon,
Mr. Ball,	Mr. Humphrey,	Mr. Stuart,
Mr. Bennett,	Mr. King,	Mr. Smith,
Mr. Berry,	Mr. Lewis,	Mr. Videtto,
Mr. Chipman,	Mr. Littlejohn,	Mr. Walker,
Mr. Cooper,	Mr. Livermore,	Mr. Wendell,
Mr. Crary,	Mr. Lothrop,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Wilson,
Mr. Fessenden,	Mr. Mickle,	Mr. Woodbury,
Mr. Goodwin,	Mr. Norvell,	Mr. Speaker,

42

Mr. Lothrop moved to strike out "sinking fund," and insert "internal improvement fund."

Mr. Lamb moved to amend by striking out, after the word "treasury," in the second line, second section, "to the credit of the sinking fund," and all of said section after the word "destroyed."

And the yeas and nays being called, the motion prevailed, by the following vote :

YEAS.

Mr. Axford,	Mr. Dexter,	Mr. Norvell,
Mr. Ball,	Mr. Fessenden,	Mr. Preston,
Mr. Bennett,	Mr. French,	Mr. Sanborn,
Mr. Berry,	Mr. Hanscom,	Mr. Scott,
Mr. Bush,	Mr. Hathaway,	Mr. Smith,
Mr. Chipman,	Mr. Hawley,	Mr. Turner,
Mr. Cooper,	Mr. Lamb,	Mr. Woodbury,
Mr. Crary,	Mr. Mickle,	Mr. Speaker,

24

NAYS.

Mr. Anderson,	Mr. Humphrey,	Mr. Sheldon,
Mr. Annable,	Mr. King,	Mr. Stuart,
Mr. Arnold,	Mr. Lewis,	Mr. Videtto,
Mr. Dort,	Mr. Littlejohn,	Mr. Walker,
Mr. Goodwin,	Mr. Livermore,	Mr. Wendell,
Mr. Hewitt,	Mr. Lothrop,	Mr. White,
Mr. Howell,	Mr. Rice,	Mr. Wilson,

21

Mr. Lothrop moved to amend by inserting after the word "destroy," in the first line of second section, "one half of."

And the question being taken by yeas and nays, the motion was lost, as follows :

YEAS.

Mr. Annable,
Mr. Arnold,
Mr. Dort,
Mr. Goodwin,
Mr. Hawley,
Mr. Hewitt,
Mr. Humphrey,

Mr. King,
Mr. Lewis,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,

Mr. Rice,
Mr. Sheldon,
Mr. Stuart,
Mr. Videtto,
Mr. Walker,
Mr. White,

19

NAYS.

Mr. Anderson,
Mr. Axford,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,

Mr. Dexter,
Mr. Fessenden,
Mr. French,
Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. Howell,
Mr. Lamb,
Mr. Mickle,

Mr. Norvell,
Mr. Preston,
Mr. Sanborn,
Mr. Scott,
Mr. Smith,
Mr. Turner,
Mr. Wendell,
Mr. Woodbury,
Mr. Speaker,

26

Mr. Bush moved for a reconsideration of the vote on the motion of Mr. Lamb, which was sustained, by the following vote :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Dort,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hanscom,
Mr. Howell,
Mr. Humphrey,
Mr. Lewis,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Magoon,
Mr. Rice,
Mr. Sheldon,
Mr. Stuart,
Mr. Videtto,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Speaker,

29

NAYS.

Mr. Ball,
Mr. Blair,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,
Mr. Hathaway,

Mr. Hawley,
Mr. Hewitt,
Mr. Lamb,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,

Mr. Sanborn,
Mr. Scott,
Mr. Smith,
Mr. Turner,
Mr. Wilson,
Mr. Woodbury,

19

The question then recurring on the amendment of Mr. Lamb, the same was lost, as follows :

YEAS.

Mr. Babcock,
Mr. Ball,

Mr. Fessenden,
Mr. Gunning,

Mr. Preston,
Mr. Sanborn,

Mr. Berry,	Mr. Hathaway,	Mr. Scott,
Mr. Blair,	Mr. Lamb,	Mr. Smith,
Mr. Chipman,	Mr. Mickle,	Mr. Turner,
Mr. Cooper,	Mr. Norvell,	Mr. Woodbury,
Mr. Crary,		

19

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Lothrop,
Mr. Annable,	Mr. Hanscom,	Mr. Magoon,
Mr. Arnold,	Mr. Hawley,	Mr. Rice,
Mr. Axford,	Mr. Hewitt,	Mr. Stuart,
Mr. Bennett,	Mr. Howell,	Mr. Videtto,
Mr. Bush,	Mr. Humphrey,	Mr. Walker,
Mr. Dexter,	Mr. Lewis,	Mr. Wendell,
Mr. Dort,	Mr. Littlejohn,	Mr. White,
Mr. French,	Mr. Livermore,	Mr. Wilson,

27

On motion of Mr. Crary,

Section fifth was stricken out down to the word "felony," inclusive, and section fifth of House bill substituted, as follows :

"Sec. 5. All collecting and disbursing officers ; all county and town treasurers, and all other public officers or agents, through whose hands public moneys pass, are hereby required to pay into the state, county and township treasuries, as the case may be, or to state, county or township creditors, as the case may be, at the option of such creditors, or to civil and military officers entitled to compensation for public services, at the option of such officers, the same description of funds which they shall have received in the collection of taxes or other public dues, or for freight and charges to passengers on the state railroads. And any of the aforesaid collecting and disbursing officers and agents, who shall violate any of the provisions of this act, or shall appropriate any of the public moneys to his or their own private use, except in pursuance of law ; or shall lend to others, or otherwise embezzle any of the public moneys, he or they shall be prosecuted for said offence."

On motion of Mr. Crary, section sixth was also stricken out.

Mr. Howell now called for the previous question, and being sustained, the question on ordering the bill to be engrossed, was taken and prevailed.

And the House adjourned until to-morrow morning, at nine o'clock.

Wednesday, February 9, 1842.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and corrected,

PETITIONS.

By Mr. Turner. Two several petitions of inhabitants of Shiawassee county, for an appropriation on the Shiawassee river. Referred to the committee of the whole.

By Mr. Hanscom. Of citizens of Wayne county for the repeal of the specific state tax law. Referred to the select committee on taxation.

By Mr. Littlejohn, (by request of Mr. Chipman.) Remonstrance of Praisegod Barebones and others, against any interference with the general bankrupt law. Laid on the table.

By Mr. French. Five several petitions for the removal of the county seat of Clinton county. Referred to the committee on towns and counties.

By Mr. Turner. Four several petitions of citizens of Shiawassee county, for the repeal of the existing law relative to the return of non-resident lands. Laid on the table.

By Mr. Norvell. Of seventy five citizens of Wayne county for a liberal exemption law. Laid on the table.

By Mr. Hawley. Two several petitions of inhabitants of Jackson county, for the passage of a law authorizing a bounty on cocoons and raw und manufactured silk. Referred to the committee on agriculture and manufactures.

By Mr. Gunning. Two several petitions of inhabitants of Wayne county against an extension of the exemption law. Laid on the table.

REPORTS.

Mr. Norvell, from the committee on ways and means, reported back the joint resolution pledging the faith of the state for the redemption of state warrants.

Mr. Bush moved to lay the same upon the table, and the motion was lost by yeas and nays, as follows :

YEAS.

Mr. Annable,

Mr. Chipman,

Mr. Hathaway,

Mr. Arnold,	Mr. Cooper,	Mr. Sanborn,
Mr. Axford,	Mr. Dort,	Mr. Wendell,
Mr. Babcock,	Mr. French,	Mr. Speaker,
Mr. Bush,	Mr. Hanscom,	14

NAYS:

Mr. Anderson,	Mr. Howell,	Mr. Rice,
Mr. Ball,	Mr. Humphrey,	Mr. Sheldon,
Mr. Bennett,	Mr. King,	Mr. Stuart,
Mr. Berry,	Mr. Lamb,	Mr. Smith,
Mr. Blair,	Mr. Lewis,	Mr. Turner,
Mr. Crary,	Mr. Little,	Mr. Videtto,
Mr. Dexter,	Mr. Littlejohn,	Mr. White,
Mr. Fessenden,	Mr. Livermore,	Mr. Wilson,
Mr. Goodwin,	Mr. Mickle,	Mr. Wing,
Mr. Hawley,	Mr. Norvell,	Mr. Woodbury,
Mr. Hewitt,	Mr. Preston,	32

Mr. Crary moved to strike out the words "that for themselves and their successors, they pledge the honor, good faith and resources of the state," and insert "that the good faith of the state be pledged," which motion was adopted.

Mr. Little moved as a substitute for the whole, the following preamble and joint resolutions :

Whereas, There exists at the present time, throughout the Union and in Europe, a great loss of confidence in the good faith of the several states of the Union, in the payment of their just debts, having a tendency to depreciate the value of state stocks, and destroy the credit and prosperity of the country :

And whereas, The state of Michigan has bonds in market, to the amount of several millions of dollars, negotiated for the purposes of internal improvement, authorized by the legislature :

And whereas, The embarrassed condition of this state at the present time renders it impossible to meet the interest due on the bonds issued by the state :

And whereas, The doctrine of repudiation has been suggested by some of the public newspapers of this state, which may be, by the holders of the bonds of this state, supposed to express the sentiments of the people of Michigan ; therefore

Resolved by the Senate and House of Representatives of the State of Michigan, That although unable at the present time to meet the interest now due on the bonds issued by the state, we deny the doc-

trine of repudiation as being the sentiments of the people of Michigan, and hereby declare that, as representatives of the people of Michigan, we will do all in our power to keep inviolate the public faith of this state.

Resolved, That the committee of ways and means be requested to report to this House a bill providing for the payment of the interest now due and to become due the present year and the first day of January next, on the bonds of this state.

Mr. Norvell raised a point of order, said resolutions offered as a substitute having been disposed of in discharging the committee of ways and means from their further consideration.

The Speaker having decided the motion to be in order,

Mr. Gunning moved the indefinite postponement of the subject, and the question being taken by yeas and nays, the same was lost :

YEAS.

Mr. Annable,	Mr. Dort,	Mr. Livermore,
Mr. Arnold,	Mr. French,	Mr. Rice,
Mr. Axford,	Mr. Gunning,	Mr. Sanborn,
Mr. Babcock,	Mr. Hanscom,	Mr. Scott,
Mr. Berry,	Mr. Hathaway,	Mr. Videtto,
Mr. Bush,	Mr. Hawley,	Mr. Wendell,
Mr. Chipman,	Mr. Hewitt,	Mr. Speaker,
Mr. Cooper,		

22

NAYS.

Mr. Anderson,	Mr. Humphrey,	Mr. Sheldon,
Mr. Ball,	Mr. King,	Mr. Stuart,
Mr. Bennett,	Mr. Lamb,	Mr. Smith,
Mr. Blair,	Mr. Lewis,	Mr. Turner,
Mr. Crary,	Mr. Little,	Mr. White,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Fessenden,	Mr. Mickle,	Mr. Wing,
Mr. Goodwin,	Mr. Norvell,	Mr. Woodbury,
Mr. Howell,		

25

Mr. Bush offered the following as a substitute :

Whereas, The state, in consequence of the failure of the United States Bank and Morris canal and banking company, is at present unable to meet the claims against the internal improvement : *And whereas*, The heavy expenses of the state render it impossible to increase, to any considerable extent, taxation, the only source upon which we can depend for the liquidation of said debts ; Therefore

Resolved, That we pledge the entire responsibility of the five

million loan for the payment of said debts, and in case of its failure, we pledge ourselves as a state, solemnly to pay the same, with interest from date, whenever we are able to raise the funds by taxation.

Mr. Howell moved to lay the subject on the table, which motion was lost by the following vote.

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Dort,

Mr. French,
Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. Hewitt,
Mr. Howell,
Mr. Livermore,

Mr. Rice,
Mr. Sanborn,
Mr. Scott,
Mr. Wendell,
Mr. White,
Mr. Woodbury,
Mr. Speaker,

22

NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Blair,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,
Mr. Goodwin,
Mr. Hawley,

Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,

Mr. Preston,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videtto,
Mr. Walker,
Mr. Wilson,
Mr. Wing,

28

Mr. Hanscom offered the following as a substitute for Mr. Bush's, which was lost :

Resolved, That all just claims against the state in the hands of our citizens, contracted for work upon our internal improvements, shall be promptly and punctually paid, in pursuance of the terms of the contracts, at as early a day as possible in view of existing embarrassments and pecuniary difficulties.

The question being taken on Mr. Bush's motion the same was lost.

The question being taken on Mr. Little's substitute, the same was lost by yeas and nays, as follows :

YEAS.

Mr. Lamb,
Mr. Little,

Mr. Sanborn,
Mr. Scott,

Mr. Turner,
Mr. Speaker,

6

NAYS.

Mr. Anderson,
Mr. Annable,

Mr. Fessenden,
Mr. French,

Mr. Lothrop,
Mr. Mickle,

Mr. Axford,	Mr. Goodwin,	Mr. Norvell,
Mr. Babcock,	Mr. Gunning,	Mr. Preston,
Mr. Ball,	Mr. Hanscom,	Mr. Rice,
Mr. Bennett,	Mr. Hathaway,	Mr. Sheldon,
Mr. Berry,	Mr. Hawley,	Mr. Videtto,
Mr. Blair,	Mr. Hewitt,	Mr. Walker,
Mr. Bush,	Mr. Howell,	Mr. Wendell,
Mr. Chipman,	Mr. King,	Mr. White,
Mr. Cooper,	Mr. Lewis,	Mr. Wilson,
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,
Mr. Dexter,	Mr. Livermore,	Mr. Woodbury,
Mr. Dort,		40

Mr. Chipman now moved an indefinite postponement, which was lost :

YEAS.

Mr. Arnold,	Mr. French,	Mr. Sanborn,
Mr. Axford,	Mr. Gunning,	Mr. Scott,
Mr. Babcock,	Mr. Hanscom,	Mr. Wendell,
Mr. Bush,	Mr. Hathaway,	Mr. White,
Mr. Chipman,	Mr. Hewitt,	Mr. Woodbury,
Mr. Cooper,	Mr. Livermore,	Mr. Speaker,
Mr. Dort,	Mr. Rice,	20

NAYS.

Mr. Anderson,	Mr. Hawley,	Mr. Norvell,
Mr. Annable,	Mr. Howell,	Mr. Preston,
Mr. Ball,	Mr. Humphrey,	Mr. Sheldon,
Mr. Bennett,	Mr. King,	Mr. Stuart,
Mr. Berry,	Mr. Lamb,	Mr. Smith,
Mr. Blair,	Mr. Lewis,	Mr. Turner,
Mr. Crary,	Mr. Little,	Mr. Videtto,
Mr. Dexter,	Mr. Littlejohn,	Mr. Walker,
Mr. Fessenden,	Mr. Lothrop,	Mr. Wilson,
Mr. Goodwin,	Mr. Mickle,	Mr. Wing,
		30

Mr. Little moved to strike out "almost hopeless."

Mr. Chipman moved to amend by inserting "quite" instead of "almost."

Mr. Hanscom moved to strike out "almost," which was accepted by Mr. Chipman, and lost.

The question was then taken on Mr. Little's motion, and lost.

Mr. Stuart called for the yeas and nays on the adoption of the preamble.

Mr. Lamb offered the following amendment which was adopted :

"*And whereas*, the state has been swindled out of a great amount of money by unfaithfulness on the part of her agents," when,

On motion of Mr. Norvell, the same was amended to read "for the last two years."

On motion of Mr. Fessenden, the vote on Mr. Lamb's amendment was reconsidered, and the vote recurring in adopting the same, it was rejected.

On motion of Mr. Norvell, the amendment was then reconsidered and rejected.

Mr. Howell moved to amend by inserting "according to the law under which they were made."

Mr. Lamb moved to amend as follows :

"*Provided*, Nothing herein contained shall be construed as sustaining any principle embodied in the second section of an act to provide for the further construction of certain works of internal improvement, approved March 12, 1841," which motion was lost.

The question was then taken on the adoption of the resolution, and the same was adopted by the following vote :

YEAS.

Mr. Anderson,	Mr. King,	Mr. Sheldon,
Mr. Annable,	Mr. Lamb,	Mr. Stuart,
Mr. Ball,	Mr. Lewis,	Mr. Smith,
Mr. Bennett,	Mr. Little,	Mr. Turner,
Mr. Blair,	Mr. Littlejohn,	Mr. Videtto,
Mr. Crary,	Mr. Livermore,	Mr. Walker,
Mr. Dexter,	Mr. Lothrop,	Mr. White,
Mr. Fessenden,	Mr. Magoon,	Mr. Wilson,
Mr. Goodwin,	Mr. Mickle,	Mr. Woodbury,
Mr. Humphrey,	Mr. Norvell,	

29

NAYS.

Mr. Arnold,	Mr. French,	Mr. Rice,
Mr. Axford,	Mr. Gunning,	Mr. Sanborn,
Mr. Babcock,	Mr. Hanscom,	Mr. Scott,
Mr. Bush,	Mr. Hathaway,	Mr. Wendell,
Mr. Chipman,	Mr. Hewitt,	Mr. Wing,
Mr. Cooper,	Mr. Howell,	Mr. Speaker,
Mr. Dort,	Mr. Preston,	

20

Mr. Little moved to strike out the words "short time," from the preamble.

Mr. Lamb moved to lay the preamble on the table, which motion was lost.

The question being then taken on the motion of Mr. Little, it was lost.

The final question being taken on the adoption of the preamble, it was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Fessenden,	Mr. Norvell,
Mr. Annable,	Mr. Gunning,	Mr. Stuart,
Mr. Axford,	Mr. Humphrey,	Mr. Smith,
Mr. Ball,	Mr. King,	Mr. Walker,
Mr. Bennett,	Mr. Lewis,	Mr. Wilson,
Mr. Berry,	Mr. Lothrop,	Mr. Wing,
Mr. Blair,	Mr. Mickle,	Mr. Woodbury,

21

NAYS.

Mr. Arnold,	Mr. Hawley,	Mr. Rice,
Mr. Bush,	Mr. Hewitt,	Mr. Sanborn,
Mr. Chipman,	Mr. Howell,	Mr. Scott,
Mr. Cooper,	Mr. Lamb,	Mr. Sheldon,
Mr. Crary,	Mr. Little,	Mr. Turner,
Mr. Dexter,	Mr. Littlejohn,	Mr. Videtto,
Mr. Dort,	Mr. Livermore,	Mr. Wendell,
Mr. Goodwin,	Mr. Magoon,	Mr. White,
Mr. Hanscom,	Mr. Preston,	Mr. Speaker,

28

Mr. Norvell, from the committee on ways and means, reported a bill to provide for the adjustment of the five million loan, which was referred to the committee of the whole and ordered to be printed.

Mr. Goodwin, from the committee on banks and incorporations, reported back the "Bill to incorporate the baptist convention of the state of Michigan," without amendment, and the same was referred to the committee of the whole.

Mr. Bush, from the committee on banks and incorporations, reported back the Senate "Bill to exclude a certain farm from the limits of the city of Detroit," without amendment, and it was referred to the committee of the whole.

Mr. Dort, from the committee on supplies, reported an account for cleansing the hall, and the account of H. E. Perry, for services in repairs thereof, which were referred to the committee on expenditures.

Mr. Hanscom, from the committee on revision, reported back to the House as correct, "A bill to provide for the withdrawal of treasury notes, and for other purposes."

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to abolish the office of county commissioner,

and for other purposes," "An act relative to the decisions of the supreme court," and "A preamble and joint resolutions relative to the survey of a military road by the general government from Saginaw to Mackinac."

Mr. Sanborn presented a report from the board of internal improvement, relative to the claim of Harrington and Bethay, which was referred to the committee on claims.

MESSAGE FROM THE GOVERNOR.

A special message was announced from the executive, transmitting a letter from the state treasurer in relation to the primary school interest fund, which, together with the message, was referred to the committee on education.

MESSAGES FROM THE SENATE.

The following messages from the Senate, by their messenger, Horace S. Roberts, were announced:

A message transmitting to the House, "A joint resolution requesting the Governor to transmit copies of resolutions," &c., which the Senate have adopted, and respectfully asking the concurrence of the House therein.

And the rule was suspended and said resolution concurred in.

A message transmitting to the House "A joint resolution relative to the construction of a mill race across the university lands in the township of Coldwater," which the Senate have adopted, and respectfully asking the concurrence of the House therein. Also, returning "Joint resolutions of instruction to senators and representative in congress," and to inform the House that the Senate have concurred therein.

And the rule was suspended, and the joint resolution relative to mill race concurred in, and the joint resolutions of instruction, &c., ordered to be enrolled.

The Speaker announced for a third reading, the "Bill to provide for the withdrawal of treasury notes, and for other purposes."

Mr. Lamb asked the unanimous consent of the House to amend as follows, to come in at the end of section two:

"And the said credit shall as well describe the amount of each particular denomination of bills as the aggregate amount so destroyed."

And consent was granted, and the amendment was adopted.

Mr. Lamb then moved that the bill to provide for the withdrawal of treasury notes, and for other purposes, yesterday ordered to be engrossed, be referred to the committee of the whole, with instructions to add the following. to stand as section three :

The fifth section of an act entitled " An act to provide for the anticipation of the instalments of the five million loan, and for other purposes," is hereby repealed ; and nothing in this act contained shall be construed as giving or continuing to the treasurer of this state, the power or authority to issue or re-issue any amount of state scrip whatever, and the re-issue thereof is hereby expressly prohibited.

Which motion was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Mickle,	Mr. Smith,
Mr. Axford,	Mr. Norvell,	Mr. Turner,
Mr. Ball,	Mr. Preston,	Mr. Wendell,
Mr. Blair,	Mr. Sanborn,	Mr. Woodbury,
Mr. Lamb,	Mr. Scott,	Mr. Speaker,
Mr. Little,		

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NAYS.

Mr. Annable,	Mr. Hanscom,	Mr. Magoon,
Mr. Arnold,	Mr. Hawley,	Mr. Rice,
Mr. Bush,	Mr. Howell,	Mr. Sheldon,
Mr. Chipman,	Mr. Humphrey,	Mr. Stuart,
Mr. Crary,	Mr. King,	Mr. Videtto,
Mr. Dexter,	Mr. Lewis,	Mr. Walker,
Mr. Dort,	Mr. Littlejohn,	Mr. White,
Mr. Fessenden,	Mr. Livermore,	Mr. Wilson,
Mr. French,	Mr. Lothrop,	Mr. Wing,
Mr. Goodwin,		

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The final question was then taken, and the bill passed.

The question being on the title,

Mr. Lamb moved to strike out the words " the withdrawal of," which motion was lost, and title of the bill, as it came from the Senate, was adopted.

Mr. Livermore, from the committee on claims, reported the following joint resolution for the relief of Garry Spencer, late treasurer of the county of Wayne :

Whereas, Garry Spencer, late treasurer of Wayne county, did receive in payment of the specific state tax, between the first day of

January and the first day of August, 1839, certain bills of banks then current, to wit : three hundred and ninety-four dollars of the Calhoun county bank, seventy-eight dollars of the Detroit city bank, and six dollars of the manufacturers bank of Belleville, New Jersey ; *and whereas*, the said bank bills became uncurrent while in the hands of said treasurer, and before he made his regular payment to the state treasurer ; therefore,

Resolved by the Senate and House of Representatives of the State of Michigan, That the treasurer of said state be, and he is hereby authorized to receive from the said Garry Spencer the bank bills above mentioned, and upon the payment thereof into the state treasury, to credit that amount to said Garry Spencer, on the books of his office, and to deliver him a receipt therefor.

The rule being suspended, said resolution was under consideration, when, on motion of Mr. Arnold, it was laid on the table.

NOTICES.

Mr. Lothrop gave notice that on some future day he would ask leave to bring in a bill to incorporate a company with power to construct a railroad from Jackson, in the county of Jackson, to the mouth of the St. Joseph river, and for other purposes.

Mr. Rice gave notice that on some future day, he would ask leave to introduce a bill to amend section four, chapter one, part first, title sixth of the revised statutes, relative to raising money for roads and bridges.

RESOLUTIONS.

Mr. Gunning called up from the table his resolution to the following effect, which was adopted :

Resolved, That this House will hereafter hold three sessions a day, the morning session to commence at nine o'clock, A. M., the afternoon session at half past two o'clock, P. M., and the evening session at seven o'clock, P. M.

Mr. Norvell laid on the table the following resolution :

Resolved, That the secretary of state be instructed to furnish to each of the officers and messengers of the House of Representatives, a copy of the journal, documents, and laws, to which the members of the House are entitled, except the revised statutes.

Mr. Chipman submitted the following resolution :

Resolved, also, That a joint committee to consist of three from the House and two from the Senate, to report a schedule of the unfinished business most important for this legislature during the balance of its session ; and that said committee report on Friday next.

And whilst said resolution was under consideration, on motion,
The House adjourned until half-past two o'clock, P. M.

Afternoon Session.

There being a quorum present,
The House proceeded to reconsider the resolution of Mr. Chipman, when

On motion of Mr. ———, said resolution was laid on the table.

Mr. Rice laid the following joint resolution on the table :

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of internal improvement are hereby authorized and required to reduce the rate of tolls to be paid by passengers, and on articles of freight, conveyed on or over the Central railroad, at least twenty per cent., on an average below the present established rates.

Mr. Bennett, pursuant to notice, obtained leave to introduce "A bill to prohibit recovering for damages in certain cases," which was referred to the committee on the judiciary.

Mr. Littlejohn, pursuant to notice, obtained leave to introduce "A bill to provide for the erection of a bridge across the Kalamazoo river at Richmond, in the county of Allegan," which was referred to the committee on roads and bridges.

MESSAGES FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House "A bill to amend the revised statutes concerning the powers and duties of probate courts."

Also, "A bill to provide for the laying out and establishing of a certain state road," which the Senate have adopted, and respectfully asking the concurrence of the House therein.

Also, transmitting "A joint resolution authorizing the acting commissioner of internal improvement to examine the claim of

Charles C. Hascall," which the Senate have adopted, and respectfully asking the concurrence of the House therein.

Also, returning "A bill in relation to the competency of witnesses, and to inform the House that the Senate have concurred therein.

And the bill to amend the revised statutes concerning the powers and duties of probate courts, was referred to the judiciary committee.

The bill to provide for the laying out and establishing a certain state road, was referred to the committee on roads and bridges.

The joint resolution authorizing the acting commissioner of internal improvement to examine the claim of Charles C. Hascall, was referred to the committee on internal improvement.

And the bill in relation to the competency of witnesses, was ordered to be enrolled.

On motion of Mr. Lothrop,

The bill to exempt certain property from execution or sale for any debt, damages, fine or amercement, was taken from the table, and, on his motion, referred to the select committee on taxation, with instructions to report the following, as a substitute for the whole bill :

"Section 1. That the household and kitchen furniture of each householder, not exceeding in value two hundred and fifty dollars ; the wearing apparel of every person and family ; the library of every individual and family, not exceeding one hundred and fifty dollars in value ; the types, presses and other materials of every printing office, not exceeding one hundred and fifty dollars in value ; the tools, implements and stock necessary to enable every mechanic to carry on his business, not exceeding in value one hundred and fifty dollars ; all spinning wheels and weaving looms, with their apparatus, used in families ; the pews, slips and seats in every place of public worship ; all public cemeteries ; all rights of burial and tombs while used as depositories of the dead ; one fishing skiff or boat, seine, nets or other necessary apparatus, to every person whose principal occupation or business is fishing, not exceeding in value sixty dollars ; all arms and military equipage for man and horse, two cows, ten sheep, with the wool and cloth manufactured from the same, and five hogs, to each householder ; to each practical farmer, one yoke of cattle, with yoke and chains, one plough, one harrow, one wagon or cart, with every other necessary implement of husbandry, which other

implements shall not exceed twenty-five dollars in value; one yoke of cattle, with yoke, cart or wagon and chains, for every lumberman; one horse and harness and one dray, to every drayman; to every practising physician, one horse, bridle, saddle, surgical instruments and medicines, not exceeding in value one hundred dollars; a sufficient quantity of hay, grain, feed and roots for sustaining and keeping the live stock herein before severally allowed to each class of persons, for six months, and the requisite provisions and fuel for the comfortable subsistence of every family and housekeeper, for six months, shall be, and the same are hereby exempted from execution or sale for any debt, damages, fine or amercement whatever."

Sec. 2. The word person, used in the preceding section of this act shall not be construed to extend to any body corporate or politic.

Sec. 3. All acts and parts of acts heretofore passed, and now in force, for the exemption of property from execution or sale for any debt, damages, fine or amercement, are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its passage.

Mr. Goodwin, from the committee on banks and incorporations, reported back the "bill to extend the provisions of an act entitled an act to provide for a ferry at Saginaw;" and the rule was suspended and said bill under consideration, when,

On motion of Mr. Littlejohn, a further consideration was indefinitely postponed.

On motion of Mr. Goodwin,

The House resolved itself into committee of the whole on the "Bill to annul the corporate rights of certain banks and for other purposes," and the "bill to repeal the charters of certain banks, and for other purposes," Mr. Lothrop in the chair.

After some time spent thereon, the committee rose and reported the same back to the house with sundry amendments to the first named bill, in which they asked their concurrence.

On motion of Mr. Crary,

The House considered the amendments separately, and the amendment to strike out from the eleventh line of fourth section, "and the Merchants' bank Jackson connty," was non-concurred in by the following vote :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,
Mr. Ball,	Mr. Humphrey,	Mr. Sheldon,
Mr. Blair,	Mr. King,	Mr. White,
Mr. Cooper,	Mr. Little,	Mr. Wilson,
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,
Mr. Dort,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Mickle,	Mr. Speaker,
Mr. Hawley,		

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NAYS.

Mr. Annable,	Mr. Goodwin,	Mr. Preston,
Mr. Arnold,	Mr. Gunning,	Mr. Rice,
Mr. Axford,	Mr. Hanscom,	Mr. Scott,
Mr. Babcock,	Mr. Hewitt,	Mr. Stuart,
Mr. Berry,	Mr. Lamb,	Mr. Smith,
Mr. Bush,	Mr. Lewis,	Mr. Turner,
Mr. Chipman,	Mr. Littlejohn,	Mr. Walker,
Mr. Crary,	Mr. Livermore,	Mr. Wendell,
Mr. Fessenden,	Mr. Norvell,	

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The amendment in the fifth line, eighth section, striking out "recover no," and inserting "pay the," was concurred in.

The amendment in the fourth line, striking out "not recover costs," and insert "pay the costs in any suit," was concurred in.

The amendment to section thirteen, inserting after the word "proceed," in the sixth line, "at law or in equity," was concurred in; and in the seventh line, same section, striking out "exceptions," and inserting "executions," was concurred in.

The amendment to section fourteen striking out "ninety days," and inserting "such time as the chancellor shall direct, not exceeding six months," was adopted.

The amendment to section seventeen, fifth line, inserting after the word "creditor," "provided the said creditor shall consent to receive the same," was concurred in by the following vote :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Scott,
Mr. Annable,	Mr. Gunning,	Mr. Sheldon,
Mr. Arnold,	Mr. Hanscom,	Mr. Stuart,
Mr. Axford,	Mr. Hathaway,	Mr. Turner,
Mr. Babcock,	Mr. Howell,	Mr. Walker,
Mr. Ball,	Mr. Lewis,	Mr. White,
Mr. Blair,	Mr. Preston,	Mr. Wilson,
Mr. Dort,	Mr. Rice,	Mr. Wing,
Mr. Fessenden,	Mr. Sanborn,	Mr. Woodbury,

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NAYS.

Mr. Chipman,	Mr. Humphrey,	Mr. Livermore,
Mr. Crary,	Mr. King,	Mr. Lothrop,
Mr. Dexter,	Mr. Lamb,	Mr. Norvell,
Mr. Goodwin,	Mr. Little,	Mr. Smith,
Mr. Hewitt,	Mr. Littlejohn,	Mr. Speaker,
		15

Mr. Goodwin proposed the following amendment to the seven-teenth section, to come in in the eighth line after the word "given;" "and all lands except those so set off and not accepted, shall thereupon be released from said mortgage;" which was lost by yeas and nays, as follows :

YEAS.

Mr. Chipman,	Mr. Humphrey,	Mr. Norvell,
Mr. Crary,	Mr. King,	Mr. Sanborn,
Mr. Dexter,	Mr. Lewis,	Mr. Smith,
Mr. Dort,	Mr. Little,	Mr. Videtto,
Mr. Goodwin,	Mr. Littlejohn,	Mr. Wendell,
Mr. Gunning,	Mr. Livermore,	Mr. Wing,
Mr. Hawley,	Mr. Lothrop,	Mr. Woodbury,
Mr. Hewitt,	Mr. Mickle,	Mr. Speaker,
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NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Rice,
Mr. Annable,	Mr. French,	Mr. Scott,
Mr. Arnold,	Mr. Hanscom,	Mr. Sheldon,
Mr. Axford,	Mr. Hathaway,	Mr. Stuart,
Mr. Ball,	Mr. Howell,	Mr. Turner,
Mr. Bennett,	Mr. Lamb,	Mr. Walker,
Mr. Blair,	Mr. Magoon,	Mr. White,
Mr. Bush,	Mr. Preston,	Mr. Wilson,
Mr. Cooper,		25

Mr. Stuart moved a reconsideration of the vote on Mr. Goodwin's amendment, and the same was reconsidered, and the amendment was adopted.

The bill was then ordered to be engrossed.

The "bill to repeal the charters of certain banks, and for other purposes," was taken up as it came from the committee of the whole, the rule suspended, read a third time and passed.

On motion of Mr. Goodwin,

The House now resolved itself into committee of the whole, on the "bill to prevent illegal banking," Mr. Stuart in the chair.

After going through the same, the committee rose and reported the bill back to the House without amendment.

On motion of Mr. Howell, the words "or its equivalent" were stricken out of fourth section.

On motion of Mr. Wing, the fifth section was stricken out.

Mr. Goodwin moved to strike out the fourth section, which motion was lost.

The bill was then ordered engrossed by the following vote :

YEAS.

Mr. Anderson,	Mr. Fessenden,	Mr. Preston,
Mr. Arnold,	Mr. Goodwin,	Mr. Rice,
Mr. Axford,	Mr. Gunning,	Mr. Sanborn,
Mr. Ball,	Mr. Hanscom,	Mr. Sheldon,
Mr. Berry,	Mr. Hathaway,	Mr. Stuart,
Mr. Blair,	Mr. Hewitt,	Mr. Videtto.
Mr. Bush,	Mr. Howell,	Mr. Wendell,
Mr. Chipman,	Mr. Humphrey,	Mr. White,
Mr. Cooper,	Mr. Livermore,	Mr. Wing,
Mr. Crary,	Mr. Lothrop,	Mr. Woodbury,
Mr. Dexter,	Mr. Mickle,	Mr. Speaker,
Mr. Dort,	Mr. Norvell,	

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NAYS.

Mr. French,	Mr. Little,	Mr. Scott,
Mr. Lamb,	Mr. Littlejohn,	Mr. Smith,
Mr. Lewis,	Mr. Magoon,	Mr. Turner,

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Mr. Livermore presented certain claims of Sidney L. Rood, which were referred to the committee on claims.

Mr. Lothrop moved that the House now adjourn, which motion was lost on division.

Mr. Chipman moved to adjourn till to-morrow morning at nine o'clock, which was carried, by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. Hewitt,	Mr. Scott,
Mr. Annable,	Mr. Howell,	Mr. Sheldon,
Mr. Arnold,	Mr. Humphrey,	Mr. Smith,
Mr. Axford,	Mr. Lamb,	Mr. Turner,
Mr. Bush,	Mr. Lewis,	Mr. Videtto,
Mr. Chipman,	Mr. Little,	Mr. Walker,
Mr. Cooper,	Mr. Magoon,	Mr. Wendell,
Mr. Dexter,	Mr. Mickle,	Mr. Wing,
Mr. Dort,	Mr. Preston,	

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NAYS.

Mr. Babcock,	Mr. Gunning,	Mr. Norvell,
Mr. Ball,	Mr. Hanscom,	Mr. Rice,

Mr. Berry,
Mr. Blair,
Mr. Crary,
Mr. Fessenden,
Mr. French,
Mr. Goodwin,

Mr. Hathaway,
Mr. Hawley,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Sanborn,
Mr. Stuart,
Mr. White,
Mr. Woodbury,
Mr. Speaker,

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And the House adjourned.

Thursday, February 10, 1842.

The members were all present.

Prayer by the Rev. A. M. Fitch.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Dort. Claim of Mr. McFarren. Referred to the committee on claims.

By Mr. Hawley. Of inhabitants of Jackson county, for reduction of prices on state railroads.

By Mr. Bush. Of inhabitants of Livingston county, in relation to a state road. Referred to the committee on roads and bridges.

By Mr. Cooper. Of one hundred and twelve citizens of Jackson county, praying that the convicts in the state prison be employed in other than mechanical branches of business. Referred to the committee on state prison.

By Mr. Hawley. Of inhabitants of Jackson county, for the alteration of a certain state road. Referred to the committee on roads and bridges.

By Mr. Chipman. Of L. Watkins and others, to be absolved from the payment of certain notes given to superintendent of public instruction. Referred to the committee on university and school lands.

By Mr. Chipman. Of Marshall Marvin and others, for the passage of a law regulating damages by overflowing of mill dams. Referred to the judiciary committee.

By Mr. Sanborn. Claim of E. B. Harrington against the state. Referred to the committee on claims.

By Mr. Hewitt. Of certain persons for the appointment of commissioners to lay out a certain road. Referred to the committee on roads and bridges.

By Mr. Lamb. Claim of Theodore Bothy against the state. Referred to the committee on claims.

By Mr. Wing. Petition and documents of Lambert Cauchois, praying for the passage of a law authorizing him to sell the estate of his minor children on certain conditions. Referred to the judiciary committee.

By Mr. Preston. Two several petitions from the citizens of St. Joseph, praying the legislature not to legalize certain acts of their county commissioners. Laid on the table.

By Mr. Axford. Two several petitions of citizens of Oakland county, praying for a repeal of the two-thirds law. Laid on the table.

By Mr. Dort. Of John Flynn, and one from John Ready, in relation to damages sustained by the location of the Central railroad. Referred to the committee on internal improvement.

By Mr. Gunning. Remonstrance of Martin Story and thirty-one other citizens of Detroit against the bill exempting property from execution. Laid on the table.

REPORTS.

Mr. Fessenden, from the committee on education, to whom was referred the message of the executive and accompanying communication from the state treasurer, reported "A bill to prohibit the receipt of treasury notes in payment of interest upon loans made by the superintendent of public instruction," which was referred to the committee of the whole.

Mr. Little, from the committee on towns and counties, reported a bill to correct the plat of the village of Sherman, and the addition thereto, in the county of St. Joseph, and to confirm deeds and mortgages of lots within the same, which was referred to the committee of the whole.

Mr. Little, also, from the same committee, to whom was referred five several petitions for the removal of the county seat of the county of Clinton, reported adverse to the prayer of the petitioners, and were discharged from the further consideration of the subject.

Mr. Stuart, from the committee on the judiciary, reported back the following entitled bills, without amendment, and they were referred to the committee of the whole :

"A bill to prohibit recoveries for damages in certain cases."

"A bill to amend the revised statutes concerning the powers and duties of probate courts."

Mr. Videtto, from the committee on roads and bridges, reported back the Senate "bill to provide for the laying out and establishing of a certain state road," and adverse to its passage, and,

On his motion, it was indefinitely postponed.

Mr. Videtto, from the same committee, reported back the "bill to provide for the erection of a bridge across the Kalamazoo river at Richmond, in the county of Allegan," and the same was referred to the committee of the whole.

Mr. Hainscom, from the judiciary committee, reported "A bill to regulate the compensation of registers of deeds and county clerks, and for other purposes," and the same was referred to the committee of the whole.

Mr. Wing, from the committee on internal improvement, reported back the Senate "joint resolution authorizing the acting commissioner of internal improvement to examine the claims of Charles C. Hascall," with amendments, which were concurred in by the House, and the resolution, as amended, was adopted.

Mr. Wing from the committee on internal improvement, reported back the Senate "joint preamble and resolution, authorizing the settlement of certain claims by the board of internal improvement," without amendment, which

On motion of Mr. Lothrop, was indefinitely postponed.

Mr. Chipman, from the committee on internal improvement, reported "A bill to amend an act entitled 'an act for the regulation of internal improvement,'" which was referred to the committee of the whole.

Mr. Lothrop from the select committee on taxation, to whom was referred "A bill to exempt certain property from execution, or sales for any debt, damages, fine or amercement," with instructions, reported as a substitute for the whole bill, the House substitute, number nine, with certain amendments, as contained in the proceedings of yesterday, and the House having the same under consideration, and the question being about to be put on its passage,

On motion of Mr. Littlejohn, a call of the House was ordered, and Mr. Annable absent.

Mr. Hanscom moved for the suspension of further proceedings under the call, which motion was lost.

On motion of Mr. Norvell, the sergeant-at-arms was then directed to bring in Mr. Annable.

Mr. Annable appearing and taking his seat, the final question was taken by yeas and nays, and the bill passed as follows :

YEAS.

Mr. Annable,	Mr. Hawley,	Mr. Mickle,
Mr. Arnold,	Mr. Howell,	Mr. Norvell,
Mr. Berry,	Mr. Humphrey,	Mr. Preston,
Mr. Blair,	Mr. King,	Mr. Sanborn,
Mr. Chipman,	Mr. Lamb,	Mr. Stuart,
Mr. Crary,	Mr. Lewis,	Mr. Turner,
Mr. Dexter,	Mr. Little,	Mr. Videtto,
Mr. Goodwin,	Mr. Littlejohn,	Mr. Wing,
Mr. Hanscom,	Mr. Lothrop,	Mr. Speaker,

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NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Scott,
Mr. Axford,	Mr. French,	Mr. Sheldon,
Mr. Babcock,	Mr. Gunning,	Mr. Smith,
Mr. Ball,	Mr. Hathaway,	Mr. Walker,
Mr. Bennett,	Mr. Hewitt,	Mr. Wendell,
Mr. Bush,	Mr. Livermore,	Mr. White,
Mr. Cooper,	Mr. Magoon,	Mr. Wilson,
Mr. Dort,	Mr. Rice,	Mr. Woodbury,

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Mr. King, from the committee on enrolment, reported as correctly enrolled, "a preamble and joint resolution of instruction relative to a fine imposed on General Andrew Jackson," and "joint resolutions of instruction to senators and representative in Congress."

MESSAGE FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting "A joint resolution relative to the state printing," which the Senate have adopted and respectfully asking the concurrence of the House therein.

And on motion of Mr. Lothrop, the rule was suspended, and said resolution concurred in.

Mr. Lothrop then called up the "bill to abolish the office of state

printer, and for other purposes;" and the House concurred in the report of the committee of conference, and passed the bill.

Mr. Rice, pursuant to notice, obtained leave to introduce "A bill to amend the revised statutes relative to raising money for roads and bridges," and the same was referred to the committee on roads and bridges.

Mr. Lothrop, from the select committee on taxation, to whom was referred several petitions for abolishing a specific state tax on merchants, and graduating the same on tavern-keepers, reported that they have given the subject the attention it demands, and have come to the conclusion that merchants and tavern-keepers, not selling ardent spirits, should not be required to pay a specific state tax. They are now taxed for all their property in like manner with every other person, bearing their proportion of the public burthens, and as necessary for the public welfare as any other class of citizens, your committee are at a loss to see why their occupation has been singled out and specifically taxed, and entertaining these views they submitted "A bill to repeal a part of chapter eight, title five, part first, of the revised statutes, and for other purposes," which was referred to the committee of the whole.

Mr. Hanscom, from the committee on revision, reported back to the House as correct, "A bill to prevent illegal banking."

Also, "A bill to annul the corporate rights of certain banks, and for other purposes."

And the bill to annul the corporate rights of certain banks, and for other purposes, was announced for a third reading.

Mr. Lamb moved to recommit the bill with instructions to strike out "the Merchants' bank of Jackson," which motion was lost.

The final question was then taken and the bill passed.

And the Senate bill to prevent illegal banking, was then read a third time and passed, as amended.

MESSAGE FROM THE GOVERNOR.

The following message from the Executive, by his private secretary, Mr. Welch, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the

secretary of state, "An act to abolish the office of county commissioners, and for other purposes."

Also, "An act relative to the decisions of the supreme court."

Also, "An act in relation to the competency of witnesses."

Also, "A preamble and joint resolution relative to the survey of a route for a military road by the general government leading from Mackinac to Saginaw."

JOHN S. BARRY.

Executive Office, February 10, 1842.

On motion of Mr. Livermore,

Resolved, That the committee on internal improvement be instructed to inquire what outstanding liabilities there are against the state for work done on the Clinton and Kalamazoo canal, for the payment of which there is no appropriation; likewise what sum would be necessary for the preservation of the works said, in the annual report of the commissioner of internal improvement, (pages 9 and 10,) to be indispensably necessary, and report by bill or otherwise, at as early a day as practicable.

Mr. Dexter gave notice that he should on to-morrow ask leave to bring in a bill to authorize C. S. Hooker and others to erect a dam across the Grand river at Lyons, in the county of Ionia.

On motion of Mr. Goodwin,

The "bill authorizing the removal of the bank of St. Clair to the city of Detroit," was taken from the table, and the question being on concurring in the amendment of the Senate, the same was non-concurred in.

On motion of Mr. Hanscom, the special order was suspended, and on his motion, the Senate bill granting to certain debtors to the state, the privilege of paying the state in state bonds, was taken up.

On motion of Mr. Norvell, the words "agents of the" was stricken out of the third section.

Mr. Littlejohn proposed to amend the third section, by inserting after the word "years," "from and after the time when the state shall have determined or designated what bonds it will ultimately pay."

And whilst said proposition was under consideration, on motion of Mr. Howell, the House adjourned until half past two o'clock, P. M.

Afternoon Session.

There being a quorum present,

The amendment offered by Mr. Littlejohn to the bill granting to certain debtors to the state the privilege of paying the state in state bonds, being taken up for consideration, the same was rejected.

The bill was then read a third time and passed.

On motion of Mr. Crary,

The House resolved itself into committee of the whole on the special order ; Mr. Wing in the chair.

After some time spent therein, the committee rose and reported the following entitled bill :

The "Bill to provide for the collection of certain assets transferred to the state, and for other purposes," with sundry amendments, in which they asked the concurrence of the House.

On motion of Mr. Howell,

The amendments were considered separately, and the same were severally adopted.

On motion of Mr. Crary,

All after the word "stockholders," in the eighth line of second section was stricken out.

Mr. Crary moved to strike out from the third section, after the word "treasury," "and used for the redemption of state scrip," which motion was lost by yeas and nays as follows :

YEAS.

Mr. Annable,
Mr. Bennett,
Mr. Berry,
Mr. Crary,
Mr. Dexter,
Mr. Dort,
Mr. Goodwin,
Mr. Hanscom,

Mr. Hawley,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,

Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Smith,
Mr. Wilson,
Mr. Wing,

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NAYS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Ball,
Mr. Bush,
Mr. Cooper,

Mr. Gunning,
Mr. Hathaway,
Mr. Lamb,
Mr. Livermore,
Mr. Magoon,
Mr. Rice,

Mr. Sheldon,
Mr. Turner,
Mr. Videtto,
Mr. Wendell,
Mr. White,
Mr. Woodbury,

Mr. Fessenden,
Mr. French,

Mr. Sanborn,
Mr. Scott,

Mr. Speaker,

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And the said bill was ordered to be engrossed.

The House then adjourned until seven o'clock in the evening.

Evening Session.

On motion of Mr. Stuart, the special order was postponed for the evening.

MESSAGES FROM THE SENATE.

The following messages from the Senate, by their messenger, Horace S. Roberts, were announced :

A message transmitting to the House "A bill relative to free schools in the city of Detroit," which the Senate have passed and respectfully asking the concurrence of the House therein.

And said bill was referred to the committee on education.

A message returning to the House "A bill to amend an act entitled, 'an act to amend the revised statutes relative to primary schools' approved April 1, 1840," and to inform the House that the Senate have adopted the "Joint resolution relative to the revision of primary school acts," herewith transmitted, as a substitute therefor, in which the concurrence of the House is respectfully asked.

And the question being on concurring in said joint resolution relative to the revision of primary school acts, the House non-concurred therein.

A message returning to the House "A bill to provide for the assessment and collection of taxes," and to inform the House that the Senate have concurred therein with sundry amendments, in which they respectfully ask the concurrence of the House.

Also, returning "A bill authorizing the removal of the bank of St. Clair to the city of Detroit," and informing the House that the Senate have receded from their amendment thereto, and have duly passed the same.

And the bill to provide for the assessment and collection of taxes, was laid on the table.

And the bill authorizing the removal of the bank of St. Clair to the city of Detroit, ordered to be engrossed.

On motion of Mr. Stuart,

The House resolved itself into committee of the whole on the "Bill to reduce the price of university and school lands, and for other purposes," Mr. Gunning in the chair.

After going through the same, the committee rose and reported the same back with amendments, in which they asked the concurrence of the House.

On motion of Mr. Stuart—Mr. Lothrop presiding—a call of the House was ordered, when there were absent—Messrs. Arnold, Chipman, Cooper, Dort, Fessenden, Hanscom, King, Magoon, Sanborn, Scott, Sheldon, Walker, Wilson, Woodbury, and Speaker.

Mr. Stuart moved suspension of further proceedings under the call of the House, which motion was lost.

Mr. Norvell moved that the sergeant-at-arms be directed to bring in the absentees, which was lost.

On motion of Mr. Stuart, the House concurred in the amendments of the committee of the whole to reduce the price of university and school lands, and for other purposes.

Mr. Norvell moved to strike out "forty," and insert "fifty," in the eleventh line of section one, and in the tenth line of section two.

Mr. Hathaway moved an adjournment, which was lost.

Mr. Bush moved to strike out "forty," and insert "twenty-five."

Mr. White moved to amend by inserting "thirty," which motion was lost.

The question being taken on the motion of Mr. Bush, the same was lost.

Mr. Livermore moved to lay on the table, which motion was lost.

The previous question being called for by Mr. Crary, it was ordered by ayes and noes, as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Axford,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,

Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Lamb,

Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Videtto,
Mr. Wing,

NAYS.

Mr. Babcock,	Mr. Humphrey,	Mr. Smith,	
Mr. Bush,	Mr. Lewis,	Mr. Turner,	
Mr. French,	Mr. Livermore,	Mr. Wendell,	
Mr. Gunning,	Mr. Rice,	Mr. White,	
Mr. Hathaway,	Mr. Stuart,		14

And the bill was ordered engrossed by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Livermore,	
Mr. Annable,	Mr. Hathaway,	Mr. Lothrop,	
Mr. Ball,	Mr. Hawley,	Mr. Mickle,	
Mr. Bennett,	Mr. Hewitt,	Mr. Norvell,	
Mr. Berry,	Mr. Howell,	Mr. Preston,	
Mr. Blair,	Mr. Humphrey,	Mr. Stuart,	
Mr. Bush,	Mr. Lamb,	Mr. Turner,	
Mr. Crary,	Mr. Lewis,	Mr. Videtto,	
Mr. Dexter,	Mr. Little,	Mr. Wendell,	
Mr. French,	Mr. Littlejohn,	Mr. Wing,	30

NAYS.

Mr. Axford,	Mr. Gunning,	Mr. Smith,	
Mr. Babcock,	Mr. Rice,	Mr. White,	6

Mr. Howell moved a suspension of the rule, and that the bill be read a third time, which was subsequently withdrawn.

On motion of Mr. Turner, the House then adjourned.

Friday, February 11, 1842.

The members all present, except Mr. Scott.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and corrected.

PETITIONS.

By Mr. Hanscom. Claim of F. A. Williams, Warren Hunt, Wm. G. Paige, William Barber and James Andrews, against the state. Referred to the committee on claims.

By Mr. Blair. Claim of D. Goodwin for supporting the supremacy of the laws. Referred to the committee on claims.

By Mr. Videtto. Certificate of B. Porter, acting commissioner of state prison, to John P. Rall, for work on state prison in 1838. Referred to the committee on claims.

By Mr. Woodbury. Remonstrance of citizens of Lenawee coun-

ty, against reducing the price of school lands. Laid on the table.

By Mr. Turner. Of thirty-eight inhabitants of Alaiden, in the county of Ingham, to change the name of said town. Referred to the committee on towns and counties.

By Mr. Bennett. Of ninety-nine citizens of Berrien, for a division of certain townships. Referred to the committee on towns and counties.

By Mr. Fessenden. Three estimates belonging to Kelly, Beer, & Co., of work done under contract upon the Clinton and Kalamazoo canal. Referred to the committee on internal improvement.

By Mr. Dort. Claim of Anthony Ten Eyck. Referred to the committee on claims.

REPORTS.

Mr. Norvell, from the committee on ways and means, reported back the bill to confirm a contract made by the auditor general and attorney general with George Ketchum, and on his motion, was laid on the table.

Mr. Lothrop, pursuant to notice, obtained leave to introduce a bill to incorporate the Detroit and St. Joseph railroad company, and the rule was suspended and said bill referred to the committee of the whole and ordered to be printed.

Mr. Livermore, from the committee on claims, reported a bill making appropriation for the payment of certain claims against the state, which was referred to the committee of the whole and made the special order for Monday, together with the bill to incorporate the baptist convention.

Mr. Fessenden, from the committee on education, reported back the Senate bill relative to free schools in the city of Detroit, without amendment, and the same was referred to the committee of the whole.

Mr. Videtto, from the committee on roads and bridges, reported a bill to provide for laying out and altering certain state roads, which was referred to the committee of the whole.

Mr. Dexter, pursuant to notice, obtained leave to introduce a bill to authorize C. S. Hooker and others to erect a dam across the Grand river, which was referred to the committee on roads and bridges.

MESSAGE FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message returning to the House the "Bill to amend an act entitled 'an act to incorporate the village of St. Joseph,'" informing the House that the Senate have concurred therein with an amendment, in which they respectfully ask the concurrence of the House.

And the House having said amendment under consideration, refused to concur therein ; and,

On motion of Mr. Goodwin,

A committee of conference, consisting of Messrs. Goodwin, Bennett and Lamb, were appointed on the part of the House.

Mr. Wing moved for a reconsideration of the vote requiring evening sessions, which was carried by yeas and nays as follows :

YEAS.

Mr. Arnold,	Mr. King,	Mr. Sheldon,
Mr. Axford,	Mr. Lamb,	Mr. Smith,
Mr. Bennett,	Mr. Lewis,	Mr. Turner,
Mr. Bush,	Mr. Littlejohn,	Mr. Videtto,
Mr. Cooper,	Mr. Livermore,	Mr. Walker,
Mr. Dexter,	Mr. Magoon,	Mr. Wendell,
Mr. Dort,	Mr. Norvell,	Mr. Wilson,
Mr. Fessenden,	Mr. Preston,	Mr. Wing,
Mr. Hanscom,	Mr. Sanborn,	Mr. Woodbury,
Mr. Hawley,		

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NAYS.

Mr. Anderson,	Mr. Crary,	Mr. Lothrop,
Mr. Annable,	Mr. Goodwin,	Mr. Mickle,
Mr. Babcock,	Mr. Gunning,	Mr. Rice,
Mr. Ball,	Mr. Hewitt,	Mr. Stuart,
Mr. Berry,	Mr. Howell,	Mr. White,
Mr. Blair,	Mr. Humphrey,	Mr. Speaker,
Mr. Chipman,	Mr. Little,	

20

Mr. Norvell called up from the table his resolution of Wednesday, which was amended to read as follows, and adopted :

Resolved by the Senate and House of Representatives of the State of Michigan, That the secretary of state be directed to furnish to each of the officers and messengers of the Senate and House of Representatives, a copy of the journals, documents and laws, to which the members are entitled.

On motion of Mr. Stuart, the rule suspended,

Resolved, (the Senate concurring,) That the tenth joint rule, adopted this session, be and the same is hereby suspended.

On motion of Mr. Fessenden,

The bill providing for a loan to the Wesleyan seminary at Albion, was taken from the table, and recommitteed to the committee on education with instructions to strike out "ten thousand dollars," and insert "five thousand dollars."

Mr. King, from the committee on enrolment, reported as correctly enrolled "An act authorizing the removal of the Bank of St. Clair to the city of Detroit," and as correctly engrossed "A bill to reduce the price of university and school lands, and for other purposes."

Mr. Hanscom, from the committee on revision, reported as correctly engrossed the "Bill to provide for the collection of certain assets transferred to the state, and for other purposes," and the "Bill to reduce the price of university and school lands, and for other purposes."

The Speaker announced for a third reading the "Bill to provide for the collection of certain assets transferred to the state, and for other purposes;" and the same was passed by yeas and nays, as follows :

YEAS.

Mr. Arnold,	Mr. Gunning,	Mr. Sheldon,
Mr. Axford,	Mr. Hanscom,	Mr. Smith,
Mr. Babcock,	Mr. Hathaway,	Mr. Turner,
Mr. Berry,	Mr. Hawley,	Mr. Videtto,
Mr. Bush,	Mr. Hewitt,	Mr. Walker,
Mr. Cooper,	Mr. Livermore,	Mr. Wendell,
Mr. Dort,	Mr. Magoon,	Mr. White,
Mr. Fessenden,	Mr. Rice,	Mr. Speaker,
Mr. French,	Mr. Sanborn,	

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Mickle,
Mr. Annable,	Mr. Howell,	Mr. Norvell,
Mr. Ball,	Mr. Humphrey,	Mr. Preston,
Mr. Bennett,	Mr. King,	Mr. Stuart,
Mr. Blair,	Mr. Lewis,	Mr. Wilson,
Mr. Chipman,	Mr. Little,	Mr. Wing,
Mr. Crary,	Mr. Littlejohn,	Mr. Woodbury,
Mr. Dexter,	Mr. Lothrop,	

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The Speaker announced for a third reading the "Bill to reduce the price of university and school lands, and for other purposes," when

Mr. Bush moved a reconsideration of the vote ordering said bill engrossed, and the question being taken by yeas and nays, the motion was lost as follows :

YEAS.

Mr. Arnold,	Mr. Hanscom,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Sheldon,
Mr. Babcock,	Mr. Humphrey,	Mr. Smith,
Mr. Bush,	Mr. Lewis,	Mr. Wendell,
Mr. Cooper,	Mr. Livermore,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Speaker,
Mr. Gunning,		

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NAYS.

Mr. Anderson,	Mr. Hawley,	Mr. Preston,
Mr. Annable,	Mr. Hewitt,	Mr. Sanborn,
Mr. Ball,	Mr. Howell,	Mr. Stuart,
Mr. Berry,	Mr. King,	Mr. Turner,
Mr. Blair,	Mr. Lamb,	Mr. Videtto,
Mr. Chipman,	Mr. Little,	Mr. Walker,
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,
Mr. Fessenden,	Mr. Mickle,	Mr. Woodbury,
Mr. Goodwin,	Mr. Norvell,	

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Mr. Hanscom moved that the bill be recommitted to the committee on university and school lands, with instructions to report the following amendment, to come in at the end of the sixth section :

“ Which applies to lands already sold : *Provided*, That the provisions of this act shall not extend to any person who is not at the passage of this act an actual resident upon the lands aforesaid, and provided that the provisions of this bill shall in such case only apply to not exceeding eighty acres of said lands.”

Mr. Lamb called for a division of the question.

Mr. Hanscom withdrew the latter clause of the amendment, when the question to recommit with instructions was taken and lost, as follows :

YEAS.

Mr. Arnold,	Mr. French,	Mr. Rice,
Mr. Axford,	Mr. Gunning,	Mr. Sheldon,
Mr. Babcock,	Mr. Hanscom,	Mr. Smith,
Mr. Bush,	Mr. Lewis,	Mr. Wendell,
Mr. Cooper,	Mr. Livermore,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Speaker,
Mr. Fessenden,		

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NAYS.

Mr. Anderson,	Mr. Hawley,	Mr. Norvell,
Mr. Annable,	Mr. Hewitt,	Mr. Preston,
Mr. Ball,	Mr. Howell,	Mr. Sanborn,
Mr. Bennett,	Mr. Humphrey,	Mr. Stuart,
Mr. Berry,	Mr. King,	Mr. Turner,
Mr. Blair,	Mr. Lamb,	Mr. Videtto,
Mr. Chipman,	Mr. Little,	Mr. Walker,
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,
Mr. Goodwin,	Mr. Mickle,	Mr. Woodbury,
Mr. Hathaway,		31

The question being on the final passage of the bill, it was passed by the following vote :

YEAS.

Mr. Anderson,	Mr. Hawley,	Mr. Norvell,
Mr. Annable,	Mr. Hewitt,	Mr. Preston,
Mr. Ball,	Mr. Howell,	Mr. Sanborn,
Mr. Bennett,	Mr. Humphrey,	Mr. Stuart,
Mr. Berry,	Mr. King,	Mr. Turner,
Mr. Blair,	Mr. Lamb,	Mr. Videtto,
Mr. Chipman,	Mr. Little,	Mr. Walker,
Mr. Crary,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,
Mr. Fossenden,	Mr. Mickle,	Mr. Woodbury,
Mr. Goodwin,		31

NAYS.

Mr. Arnold,	Mr. Gunning,	Mr. Rice,
Mr. Axford,	Mr. Hanscom,	Mr. Sheldon,
Mr. Babcock,	Mr. Hathaway,	Mr. Smith,
Mr. Bush,	Mr. Lewis,	Mr. Wendell,
Mr. Cooper,	Mr. Livermore,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Speaker,
Mr. French,		19

MESSAGE FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House, "A joint resolution relating to the interest of the state in certain real estate," which the Senate have adopted and respectfully asking the concurrence of the House therein.

Also, returning "A joint resolution pledging the faith of the state for the redemption of state warrants," and informing the House that the Senate have adopted the substitute therefor, herewith transmitted,

in which the concurrence of the House is respectfully asked.

And the "Joint resolution relating to the interest of the state in certain real estate," was referred to the committee on roads and bridges.

And the "Joint resolution relative to state warrants," being under consideration,

On motion of Mr. Fessenden, amended by Mr. Goodwin,

All after the word "from" was stricken out, and "and shall specify the particular fund out of which the same is to be paid, after presentation to the state treasurer and a demand and refusal of payment," inserted, and the resolution, as amended, adopted.

Mr. Stuart offered the following resolution, which was lost.

Resolved, That during the remainder of the session, the hour of adjournment of the afternoon sessions, is hereby fixed at seven o'clock, P. M.

NOTICES.

Mr. Gunning, of Wayne, gave notice that to-morrow, he will ask leave to bring in a bill to exempt forty acres of land from all executions, issued for the collection of any debt contracted after the first day of April next, and for other purposes.

Mr. Norvell gave notice that he will to-morrow ask leave to introduce a bill to prohibit the re-issue of treasury notes.

Mr. Bush gave notice that he will to-morrow ask leave to introduce a bill to exempt grain, while growing, from sale on execution.

Mr. Lothrop, from the select committee on taxation, to whom was recommitted the bill to provide for the assessment and collection of taxes, with the amendments of the Senate, reported the same back and recommended the adoption of the second, third, fourth and fifth amendments of the Senate, and to refuse to concur in the first, sixth and seventh amendments.

The House having the same under consideration, concurred in the second, third, fourth and fifth amendments of the Senate.

And the House adjourned until half past two o'clock, P. M.

Afternoon Session.

There being a quorum present,

The House resumed the consideration of the amendments of the

Senate to the "Bill to provide for the assessment and collection of taxes," and non-concurred in the first, sixth and seventh amendments.

MESSAGE FROM THE GOVERNOR.

The following message from the Executive, by J. M. Welch, his private secretary, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "An act authorizing the removal of the Bank of St. Clair to the city of Detroit."

Also, "A preamble and joint resolution of instruction, relative to the fine imposed on General Andrew Jackson."

Also, "Joint resolution of instruction to senators and representative in congress."

JOHN S. BARRY.

Executive Office, February 11, 1842.

SPECIAL ORDER.

The House resolved itself into committee of the whole on the "Bill to provide for the completion of certain works of internal improvement, and for other purposes," Mr. Howell in the chair.

After some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Howell,

The House then adjourned until to-morrow morning, at nine o'clock.

Saturday, February 12, 1842.

The House met pursuant to adjournment, and all the members were present except Messrs. Babcock and Scott.

Prayer by the Rev. Mr. Fitch.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Preston. A remonstrance from sundry citizens of St. Joseph, against legalizing certain acts of their county commissioners. Laid on the table.

By Mr. Livermore. Claim of S. Trudal, for translating the Governor's message in 1841. Referred to the committee on printing.

By Mr. Berry. Petition of inhabitants of Branch county, for the

passage of a law to prohibit obstructions being placed in running streams. Referred to the militia committee.

By Mr. Sanborn. Claim of William Wright. Referred to the committee on claims.

By Mr. Lothrop. Of citizens of St. Joseph county, praying the passage of a law to prevent the destruction of sheep by dogs. Referred to the committee of the whole.

By Mr. Gunning. Remonstrance against the law authorizing taxation for the support of free schools in the city of Detroit. Referred to the committee of the whole.

By Mr. Howell. Of citizens of Hillsdale county, asking a modification of the laws relative to the practice of physic and surgery. Laid on the table.

By Mr. Ball. Petition of the treasurer and others of Lenawee county, for an extension of the time for the payment of taxes, and authorizing them to correct certain errors in the assessment roll of the township of Tecumseh. Referred to the select committee on taxation.

By Mr. Bennett. Of C. Bartlett, for an act authorizing the sale of certain lands therein named, the property of a minor. Laid on the table.

By Mr. Bennett. Of Isaac O. Adams and others of Berrien county, for a state road through said county. Referred to the committee on roads and bridges.

By Mr. Stuart. Claim of Gilbert & Merrit. Referred to the committee on printing.

By Mr. Lamb. Claim of Mark Howard. Referred to the committee on claims.

By Mr. Chipman. Claim of F. Sawyer, jr., for compensation as witness. Referred to the committee on claims.

REPORTS.

Mr. Fessenden, from the committee on education, to whom was re-committed the "Bill to authorize the superintendent of public instruction to loan a sum of money to the trustees of the Wesleyan seminary at Albion," reported the same back amended, by striking out "ten" and inserting "five."

Mr. Howell moved that said bill lie upon the table, which motion was lost by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Mickle,
Mr. Annable,	Mr. Goodwin,	Mr. Stuart,
Mr. Arnold,	Mr. Hathaway,	Mr. Wendell,
Mr. Bennett,	Mr. Hawley,	Mr. White,
Mr. Berry,	Mr. Howell,	Mr. Wilson,
Mr. Fessenden,		

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NAYS.

Mr. Axford,	Mr. Humphrey,	Mr. Rice,
Mr. Ball,	Mr. King,	Mr. Sanborn,
Mr. Blair,	Mr. Lamb,	Mr. Sheldon,
Mr. Bush,	Mr. Lewis,	Mr. Smith,
Mr. Chipman,	Mr. Little,	Mr. Turner,
Mr. Cooper,	Mr. Littlejohn,	Mr. Videtto,
Mr. Crary,	Mr. Lothrop,	Mr. Walker,
Mr. Dexter,	Mr. Magoon,	Mr. Wing,
Mr. Dort,	Mr. Norvell,	Mr. Woodbury,
Mr. Hanscom,	Mr. Preston,	Mr. Speaker,
Mr. Hewitt,		

31

Debates arising on the passage of the bill, Mr. Woodbury called for the previous question, which was not sustained.

The question being taken on the final passage of the bill, the same was lost by the following vote :

YEAS.

Mr. Ball,	Mr. Hanscom,	Mr. Magoon,
Mr. Berry,	Mr. Humphrey,	Mr. Norvell,
Mr. Crary,	Mr. King,	Mr. Preston,
Mr. Dort,	Mr. Little,	Mr. Stuart,
Mr. Fessenden,	Mr. Littlejohn,	Mr. White,
Mr. Goodwin,	Mr. Livermore,	Mr. Wing,
Mr. Gunning,	Mr. Lothrop,	

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NAYS.

Mr. Anderson,	Mr. French,	Mr. Sheldon,
Mr. Annable,	Mr. Hathaway,	Mr. Smith,
Mr. Arnold,	Mr. Hawley,	Mr. Turner,
Mr. Axford,	Mr. Hewitt,	Mr. Videtto,
Mr. Bennett,	Mr. Howell,	Mr. Walker,
Mr. Blair,	Mr. Lamb,	Mr. Wendell,
Mr. Bush,	Mr. Lewis,	Mr. Wilson,
Mr. Chipman,	Mr. Mickle,	Mr. Woodbury,
Mr. Cooper,	Mr. Rice,	Mr. Speaker,
Mr. Dexter,	Mr. Sanborn,	

29

Mr. Hanscom, from the committee on the judiciary, to whom was

referred the "Joint resolution releasing the interest of the state in certain real estate," reported the same back without amendment, and it was adopted.

Mr. French, from the committee on agriculture and manufactures, to whom was referred sundry petitions asking a bounty on silk, reported a bill entitled "An act to encourage the growth of silk," which was referred to the committee of the whole.

Mr. French also made a minority report on the subject of granting a bounty on cocoons and raw silk.

Mr. Videtto, from the committee on roads and bridges, reported back the "Bill to authorize C. S. Hooker and others to erect a dam across the Grand River," and on his motion the rule was suspended and said bill passed.

Mr. Dort, from the committee on printing, to whom was referred the account of Messrs. Dawson & Bates, for printing done for the state, reported the same back and recommended the printing thereof. Ordered to be printed accordingly.

Mr. Stuart, from the select committee to whom was referred the claim of John Delafield and the Phoenix bank, against the state of Michigan, have had the same under consideration, and had decided to report against both these claims. Upon informing Charles H. Stewart, Esq., the agent and attorney of the claimants, of their decision in the premises, they were requested by him to make no report upon the validity or invalidity of either claim, and therefore they ask to be discharged from the further consideration thereof, and that the petitioners have leave to withdraw their petitions. And leave was granted accordingly.

Mr. Crary, from the committee on internal improvement, reported "A bill in relation to the salt springs and the lands granted for the use of the same," which was referred to the committee of the whole, and made the special order of the day for to-day.

MESSAGE FROM THE SENATE.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House "A joint resolution relative to a settlement with John Van Fossen," which the Senate have adopted, and respectfully asking the concurrence of the House therein.

Also, returning the "Bill to provide for the assessment and collection of taxes," and informing the House that the Senate insist upon their amendments thereto.

Also, returning the "Joint resolution relative to the revision of primary school acts," adopted by the Senate as a substitute to House "Bill to amend an act to amend the revised statutes relative to primary schools," and informing the House that the Senate insist upon their amendment.

Also, returning the "Joint resolution relative to state warrants," and informing the House that the Senate have concurred in the House amendment thereto.

Also, to return the "Joint resolution to furnish officers and messengers of both houses with laws, documents and journals," and informing the House that the Senate have adopted the same, with an amendment, in which they respectfully ask the concurrence of the House.

Also, returning the "Joint resolution to suspend the tenth joint rule," and to inform the House that the Senate have concurred therein.

Also, returning the "Bill to annul the corporate rights of certain banks, and for other purposes," and informing the House that the Senate have passed the same with sundry amendments, in which they respectfully ask the concurrence of the House.

Also, informing the House that the Senate have appointed Senators Greenly, Redfield and Warner, as a committee of conference on the House "Bill to amend an act entitled 'an act to incorporate the village of St. Joseph.'"

And the "Joint resolution relative a settlement with John Van Fossen," was laid on the table.

And the "Bill to provide for the assessment and collection of taxes, a committee of conference was appointed, consisting of Messrs. Lothrop, Littlejohn and Goodwin.

On the "Joint resolution relative to the revision of primary school acts," a committee of conference was appointed, consisting of Messrs. Gunning, Fessenden and Ball.

The "Joint resolution relative to state warrants," was ordered enrolled.

The "Joint resolution to furnish officers and messengers of both Houses with laws, documents and journals," being under consideration, the House non-concurred in the amendment of the Senate.

The "Joint resolution to suspend the tenth joint rule," was ordered enrolled.

And the "Bill to annul the corporate rights of certain banks, and for other purposes," together with the amendments of the Senate, was referred to the committee on banks and incorporations.

Mr. Hanscom, from the committee on the judiciary, reported "A bill to repeal the charter of the Detroit and Pontiac turnpike company," and on his motion, the rule was suspended, and the bill taken up.

Mr. White moved to lay the same on the table, which motion was lost.

Mr. Goodwin moved its reference to the committee on banks and incorporations, which motion was lost.

The question being then taken on ordering the bill to a third reading, it prevailed, as follows :

YEAS.

Mr. Annable,	Mr. Hanscom,	Mr. Norvell,
Mr. Arnold,	Mr. Hathaway,	Mr. Preston,
Mr. Axford,	Mr. Hawley,	Mr. Sanborn,
Mr. Ball,	Mr. Hewitt,	Mr. Stuart,
Mr. Blair,	Mr. Howell,	Mr. Smith,
Mr. Bush,	Mr. Humphrey,	Mr. Turner,
Mr. Chipman,	Mr. King,	Mr. Videtto,
Mr. Cooper,	Mr. Lamb,	Mr. Walker,
Mr. Crury,	Mr. Lewis,	Mr. Wendell,
Mr. Dexter,	Mr. Little,	Mr. Wilson,
Mr. Dort,	Mr. Livermore,	Mr. Wing,
Mr. Fessenden,	Mr. Lothrop,	Mr. Woodbury,
Mr. French,	Mr. Magoon,	Mr. Speaker,
Mr. Gunning,	Mr. Mickle,	

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NAYS.

Mr. Anderson,	Mr. Littlejohn,	Mr. White,
Mr. Goodwin,	Mr. Rice,	

5

On motion of Mr. Hanscom, the rule was suspended and the bill read a third time, and

The question being taken on its final passage, the vote stood as follows :

YEAS.

Mr. Annable,	Mr. French,	Mr. Lothrop,
Mr. Arnold,	Mr. Gunning,	Mr. Mickle,
Mr. Axford,	Mr. Hanscom,	Mr. Norvell,
Mr. Ball,	Mr. Hathaway,	Mr. Preston,
Mr. Bennett,	Mr. Hawley,	Mr. Sheldon,
Mr. Berry,	Mr. Hewitt,	Mr. Stuart,
Mr. Blair,	Mr. Howell,	Mr. Smith,
Mr. Bush,	Mr. Humphrey,	Mr. Turner,
Mr. Chipman,	Mr. King,	Mr. Wendell,
Mr. Cooper,	Mr. Lamb,	Mr. Wilson,
Mr. Crary,	Mr. Lewis,	Mr. Wing,
Mr. Dexter,	Mr. Little,	Mr. Woodbury,
Mr. Dort,	Mr. Livermore,	Mr. Speaker,
Mr. Fessenden,		

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NAYS.

Mr. Anderson,	Mr. Littlejohn,	Mr. Rice,
Mr. Goodwin,	Mr. Magoon,	Mr. White,

6

The Speaker announcing that a majority having voted in favor of the passage of the bill, the bill was passed.

Mr. Lothrop appealed from the decision of the chair, that a majority was sufficient to pass the bill, and the question being taken by yeas and nays, the decision of the Speaker was sustained by the following vote :

YEAS.

Mr. Anderson,	Mr. Fessenden,	Mr. Magoon,
Mr. Arnold,	Mr. French,	Mr. Mickle,
Mr. Axford,	Mr. Gunning,	Mr. Norvell,
Mr. Ball,	Mr. Hanscom,	Mr. Rice,
Mr. Bennett,	Mr. Hathaway,	Mr. Sanborn,
Mr. Berry,	Mr. Hawley,	Mr. Sheldon,
Mr. Blair,	Mr. Hewitt,	Mr. Stuart,
Mr. Bush,	Mr. King,	Mr. Turner,
Mr. Cooper,	Mr. Lewis,	Mr. Videtto,
Mr. Crary,	Mr. Little,	Mr. Wendell,
Mr. Dexter,	Mr. Littlejohn,	Mr. White,
Mr. Dort,	Mr. Livermore,	Mr. Woodbury,

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NAYS.

Mr. Annable,	Mr. Howell,	Mr. Smith,
Mr. Chipman,	Mr. Humphrey,	Mr. Wing,
Mr. Goodwin,	Mr. Lothrop,	

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Mr. Gunning, pursuant to notice, obtained leave to introduce "A bill to exempt real estate from execution, or sale for any debt, damages, fine or amercement," which was referred to the committee on the judiciary.

Mr. Norvell, pursuant to notice, obtained leave to introduce "A bill to prohibit the re-issue of treasury notes," and on his motion, the rule was suspended, and it was referred to the committee of the whole.

Mr. King, from the committee on enrolment, reported as correctly enrolled "A joint resolution relative to state warrants."

On motion of Mr. Goodwin,

Resolved, That the secretary of state be requested to report to this House whether any of the books of this state have been taken from his possession, (except as provided for in the revised statutes,) and if so, upon what authority, and for what purposes, and by whom taken.

On motion of Mr. Goodwin, the following preamble and resolution were adopted :

Whereas, There have been many valuable documents and papers lost, mislaid or destroyed, since the organization of our state government, which of right belong to the files of the House of Representatives, owing to a want of care in preserving, filing them and placing them in safe keeping :

And whereas, Committees of this House frequently suffer inconvenience, and petitioners and claimants lose, from want of such papers for reference : therefore

Resolved, That the clerk of the House be instructed, in closing up the business of his department, after the adjournment of the House, to make strict search for all documents and papers since the organization of the state government which properly belong to the files of the House, and cause the same to be properly filed, and deposited in a suitable desk to be provided for the purpose, and when any document or paper is required by any person entitled thereto, or for the use of any department of the government, he take and file a receipt therefor.

BILLS PASSED.

On motion of Mr. Chipman,

The "Bill to correct the plat of the village of Sherman and the addition thereto, and for other purposes," was taken from the general order, the rule suspended, and the bill passed.

On motion of Mr. Turner,

The "Bill to change the time for holding the circuit court for the county of Clinton," was taken from the general order, the rule suspended, and the bill passed.

On motion of Mr. Littlejohn,

The bill to provide for the erection of a bridge across the Kalamazoo river, at Richmond, in the county of Allegan, was taken from the general order, the rule suspended and the bill passed.

On motion of Mr. Fessenden,

The bill to authorize the county commissioners of Macomb county to remit certain taxes assessed in 1839, was taken from the general order, the rule suspended, and after being amended, on motion of Mr. Goodwin, at the close of the first section, to read "and charge to the county and township the first proportion of such remittance," was read a third time and passed.

On motion of Mr. Dort,

The bill to exclude a certain farm from the limits of the city of Detroit, was taken from the general order.

Mr. Lamb moved to lay the same upon the table, which motion was lost, when the bill was ordered to be engrossed.

On motion of Mr. French,

The bill to authorize the erection of certain dams therein named, was taken from the general order.

Mr. Goodwin moved to strike out the sixth section, which motion was lost.

On motion of Mr. Hanscom, the bill was amended by adding an additional section, as follows :

"That R. P. Mason, his heirs or assigns, be and they are hereby authorized to build a dam across the Shiawassee river at or near the village of Owasso, in the county of Shiawassee, to be erected on some point on sections twenty-one or twenty-eight in township nine north, of range three east, not exceeding six feet in height, provided he or they shall build a good and sufficient lock not less than seventy-five feet in length and sixteen feet in width, for the passage of boats, canoes, rafts and other water craft free of charge, and keep the same in repair."

On motion of Mr. Bush, the several sections were so amended as to require the dams to be kept in repair.

Mr. Goodwin moved that the House adjourn, which motion was lost.

The rule was then suspended and the bill passed.

The House then adjourned until half past two o'clock, P. M.

Afternoon Session.

There being a quorum present,

The Speaker announced the following message from the Senate, by their messenger, Horace S. Roberts :

A message transmitting to the House "A joint resolution relative to a settlement with Calvin C. Parks;" also, "A joint resolution authorizing the secretary of state to contract for paper," which the Senate have passed, and respectfully asking the concurrence of the House therein.

And the rule was suspended and the "Joint resolution relative to settlement with Calvin C. Parks" under consideration, when,

On motion of Mr. Norvell,

The words "board of auditors," were stricken out, and "auditor general, secretary of state and state treasurer," inserted.

Mr. Godwin moved to strike out the word "resolved," and insert "be it enacted."

Mr. Stuart moved to strike out all after the word "resolved."

Mr. Howell moved to lay the resolution on the table, which motion prevailed.

And the "Joint resolution authorizing the secretary of state to contract for paper," was referred to the committee on printing.

Mr. Lothrop moved for the suspension of the special order, and the discharge of the committee of the whole from the general order, and that the latter be taken up by the House, which motion prevailed.

• On motion of Mr. Hanscom,

The "Joint resolution providing for a settlement with John Van Fossen," and the "Joint resolution relative to settlement with Calvin C. Parks, were taken from the table and referred to the committee on claims.

GENERAL ORDER.

The House then proceeded to the consideration of the general order, and the following entitled

BILLS PASSED.

"A bill to amend the eighty-third section of chapter first, title seventh, part first of the revised statutes."

"A bill to repeal an act entitled 'an act to preserve the purity of elections,' and for other purposes."

"A bill to amend chapter fifth, title third, part third of the revised statutes, entitled 'of forcible entry and detainer.'"

"A bill to amend an act entitled 'an act for incorporating the borough of Michilimackinac.'"

The Senate "Bill to extend certain provisions of law relative to the alteration of a certain state road."

The Senate "Bill in relation to the estate of Joseph Saletto, late of Calhoun county, deceased."

The "Bill providing for the publication of acts and joint resolutions of the legislature," was taken up, and on motion of Mr. Norvell, laid on the table.

The "Bill defining the effects of conveyance of the auditor general, in certain cases," was taken up, and Mr. Stuart moved its indefinite postponement, which was lost by the following vote :

YEAS.

Mr. Berry,
Mr. Cooper,
Mr. Fessenden,
Mr. Hawley,
Mr. Howell,

Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Rice,
Mr. Sanborn,

Mr. Stuart,
Mr. White,
Mr. Wing,
Mr. Woodbury,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Axford,
Mr. Ball,
Mr. Bennett,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Crary,
Mr. Dort,

Mr. French,
Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. Hewitt,
Mr. Lamb,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Magoon,
Mr. Mickle,
Mr. Norvell,
Mr. Preston,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Walker,
Mr. Wendell,
Mr. Speaker,

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Mr. Stuart moved to strike out of first section, all after the words "evidence of," and insert "proceedings hereafter had," which motion was lost.

Said bill was then ordered to be engrossed for a third reading.

Mr. Hanscom, from the committee on revision, reported back to the House as correct, "A bill to amend chapter fifth, title third, part third of the revised statutes, entitled 'of forcible entry and detain-er.'"

Also, "A bill to amend the eighty third section of chapter first, title seventh, part first of the revised statutes."

Also, "A bill to amend an act entitled 'an act for incorporating the borough of Michilimackinac.'"

Also, "A bill to extend certain provisions of law, relative to the alteration of a certain state road."

Also, "A bill to correct the plat of the village of Sherman and the addition thereto, and for other purposes."

Also, "A bill to change the time for holding the circuit court for the county of Clinton."

Also, "A bill to provide for the erection of a bridge across the Kalamazoo river, at Richmond, in the county of Allegan."

Also, "A bill to authorize the county commissioners of Macomb county to remit certain taxes assessed in the year 1839."

Also, "A bill to repeal the charter of the Detroit and Pontiac turnpike company."

Also, "A bill to provide for the erection of certain dams therein named."

Also, "A bill in relation to the estate of Joseph Salato, deceased."

And said bills were transmitted to the Senate.

The "Bill for the restraint of dogs," was taken up, when Mr. Norvell moved its indefinite postponement, which motion was lost.

Mr. Little moved to amend by inserting after the word "dog," the words "or slut."

Mr. Hanscom moved to substitute after the enacting clause,

"Every person who shall own or keep a dog, shall be subject to indictment for misdemeanor, and on conviction thereof shall be punished in the state prison not more than thirty years, or by fine not exceeding ten thousand dollars."

The question being taken on the motion of Mr. Norvell, the same was lost.

On motion of Mr. Lothrop, a petition from inhabitants of the county of St. Joseph was read.

Mr. Norvell moved the reference of the bill to the committee on education.

Mr. Fessenden moved to amend by adding, "with instructions to amend the bill so that the tax so raised be appropriated to the support of common schools."

Mr. French moved to amend the amendment by adding, "and if the tax is not paid within one year, the dog on which such tax remains unpaid shall escheat to the state."

And the discussion continued until the hour of adjournment without any question.

On motion of Mr. Goodwin, it was

Resolved, That an additional enrolling and engrossing clerk be employed for the remainder of the session, and that the committee on enrolment select such clerk, to commence on Monday morning.

Mr. Lothrop moved that the House take a recess until half past six o'clock, which was lost.

And the House adjourned until Monday morning, nine o'clock.

Monday, February 14, 1842.

The House met pursuant to adjournment, and the members were all present.

Prayer by the Rev. Mr. Duffield.

The journal of Saturday was read and approved.

PETITIONS.

By Mr. Chipman. Of inhabitants of the town of Sherwood, in the county of Branch, to use the water of the St. Joseph river in said town, for hydraulic purposes.

By Mr. Videtto. Claim of Ganson & Monroe, for materials on the penitentiary. Referred to the committee on claims.

REPORTS.

Mr. Livermore, from the committee on claims, reported back the Senate "Joint resolution authorizing a settlement with Calvin C. Parks," and the Senate "Joint resolution for a settlement with John Van Fossen," and recommended their passage, with an amendment to each.

The first of said resolutions being under consideration,

On motion of Mr. Goodwin, it was so amended as to strike out "resolved," and insert "be it enacted," and concurred in.

The second resolution being under consideration, Mr. Stuart moved to lay it on the table, which motion was lost.

Mr. Stuart then called for the reading of a report on the subject, from the files of the Senate.

After which, the resolution was amended the same as in the instance of the first resolution, and concurred in.

Mr. Norvell, from the committee on ways and means, reported "A bill making appropriations for the payment of the current expenses of the government for the year 1842," which was ordered to be printed.

Mr. Humphrey, from the committee on accounts and expenditures, reported:

That they have had under consideration the claims of Patrick Connelly, Williams & Cole, and others, for repairing and cleaning the hall of the House of Representatives; the claim of James M. Welch, for services as private secretary to the Governor, and also the claim of Mr. Brownell, for services as librarian during the present session of the legislature, all of which are deemed fair and just by the committee, and they would beg leave to report them back to the House, and ask their reference to the committee on ways and means, that they may be put into the general appropriation bill.

And said accounts were referred to the committee on ways and means.

Mr. Bush, from the committee on banks and incorporations, reported "A bill to extend the time for the collection of taxes in the township of Tecumseh," which was referred to the committee of the whole.

Mr. Goodwin, from the same committee, to whom was re-committed the "Bill to annul the corporate rights of certain banks, and for other purposes," with the amendments from the Senate, reported the same back with an amendment, to come in at the end of the first Senate amendment, to the following effect:

"*Provided, further,* That such sale shall not be construed to release the directors and stockholders from liabilities for the balance not paid by the ultimate securities;" which amendment was adopted.

The question was then taken separately on the Senate amendments ; the first, second and third were adopted, and the question being on the fourth amendment, to strike out of section four, the "Merchants' bank of Jackson county," it was non-concurred in by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. Humphrey,	Mr. Smith,
Mr. Ball,	Mr. King,	Mr. Turner,
Mr. Bennett,	Mr. Lamb,	Mr. Videtto,
Mr. Blair,	Mr. Lewis,	Mr. White,
Mr. Cooper,	Mr. Little,	Mr. Wilson,
Mr. French,	Mr. Magoon,	Mr. Wing,
Mr. Hawley,	Mr. Mickel,	Mr. Woodbury,
Mr. Howell,	Mr. Stuart,	

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NAYS.

Mr. Arnold,	Mr. Fessenden,	Mr. Norvell,
Mr. Axford,	Mr. Goodwin,	Mr. Rice,
Mr. Babcock,	Mr. Gunning,	Mr. Sanborn,
Mr. Berry,	Mr. Hanscom,	Mr. Scott,
Mr. Bush,	Mr. Hathaway,	Mr. Sheldon,
Mr. Chipman,	Mr. Hewitt,	Mr. Walker,
Mr. Crary,	Mr. Littlejohn,	Mr. Wendell,
Mr. Dexter,	Mr. Lothrop,	Mr. Speaker,
Mr. Dort,		

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And the question being taken on the fifth, sixth, seventh, eighth, ninth, tenth and eleventh amendments, severally, the same were adopted.

On motion of Mr. Lothrop, the vote on the fourth amendment was re-considered by the following vote :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,
Mr. Ball,	Mr. Humphrey,	Mr. Stuart,
Mr. Bennett,	Mr. King,	Mr. Smith,
Mr. Blair,	Mr. Little,	Mr. Turner,
Mr. Chipman,	Mr. Livermore,	Mr. Videtto,
Mr. Cooper,	Mr. Lothrop,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Wilson,
Mr. French,	Mr. Mickel,	Mr. Wing,
Mr. Goodwin,	Mr. Preston,	Mr. Woodbury,
Mr. Hawley,		

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NAYS.

Mr. Annable,	Mr. Fessenden,	Mr. Norvell,
Mr. Arnold,	Mr. Gunning,	Mr. Rice,
Mr. Axford,	Mr. Hanscom,	Mr. Scott,

Mr. Babcock,	Mr. Hathaway,	Mr. Sheldon,	
Mr. Berry,	Mr. Hewitt,	Mr. Walker,	
Mr. Bush,	Mr. Lewis,	Mr. Wendell,	
Mr. Crary,	Mr. Littlejohn,	Mr. Speaker,	
Mr. Dexter,			22

The question being taken on concurring with the Senate, the House concurred by the following vote :

YEAS.

Mr. Anderson,	Mr. Humphrey,	Mr. Stuart,	
Mr. Ball,	Mr. King,	Mr. Smith,	
Mr. Bennett,	Mr. Lamb,	Mr. Turner,	
Mr. Blair,	Mr. Lewis,	Mr. Videtto,	
Mr. Chipman,	Mr. Little,	Mr. Wendell,	
Mr. Cooper,	Mr. Livermore,	Mr. White,	
Mr. Dort,	Mr. Lothrop,	Mr. Wilson,	
Mr. French,	Mr. Magoon,	Mr. Wing,	
Mr. Hawley,	Mr. Mickle,	Mr. Woodbury,	
Mr. Howell,	Mr. Sanborn,		29

NAYS.

Mr. Annable,	Mr. Fessenden,	Mr. Norvell,	
Mr. Arnold,	Mr. Goodwin,	Mr. Preston,	
Mr. Axford,	Mr. Gunning,	Mr. Rice,	
Mr. Babcock,	Mr. Hanscom,	Mr. Scott,	
Mr. Berry,	Mr. Hathaway,	Mr. Sheldon,	
Mr. Bush,	Mr. Hewitt,	Mr. Walker,	
Mr. Crary,	Mr. Littlejohn,	Mr. Speaker,	
Mr. Dexter,			22

Mr. Lewis, from the committee on the militia, to whom was referred the petition for the purpose of changing the days of militia training, reported adverse to the prayer of the petitioners, and the committee were discharged from the further consideration thereof.

Mr. Lewis, also, from the same committee, to whom was referred a petition from sundry inhabitants for the passage of a law to prevent obstructions of streams, or placing racks therein, to prevent the passage of fish, reported, that in their estimation, it was rather a scaly matter for men at arms to deal with. And the committee were discharged from the further consideration thereof.

Mr. Fessenden moved that said report be laid upon the table and ordered printed, which motion was lost.

Mr. Lewis from the committee on the militia, having had under consideration an act approved April 12, 1839, entitled "An act to provide for the more effectual defence of the state against foreign

aggression," reported that they had arrived to the conclusion that the cause or causes being now removed which induced the hasty passage of this act, the same ought to be repealed. They look upon the act itself as producing objectionable, if not odious distinctions, which have had or may have a tendency to retard that organization of the militia of the state, which is desirable, and which the laws fully provided for previous to the passage of this act, for the purpose of drawing our quota of arms from the United States. Besides the committee do not believe any organization under the act in question has taken place, further than the appointment of general officers contemplated by it. Its repeal can, therefore, produce no evil effects, if it should not be as they anticipate, productive of much good; and the fact that for the want of returns of the militia forwarded to the general government, we are losing annually nine-tenths of our proportion of arms, which under a law of congress are annually distributed to the different states, in proportion to the number of militia respectively, as shown by the returns of the adjutant general, would urge your committee to recommend the removal of every obstacle, and every excuse retarding those returns, satisfied as they are that there must be at least fifty thousand men liable to do military duty in the state, when, if our adjutant general makes any returns at all he does not return over ten thousand. And the committee concludes by offering "A bill to repeal an act approved 12th April, 1839, entitled 'an act to provide for the more effectual defence of the state against foreign invasion,' and for other purposes."

Which bill was referred to the committee of the whole.

Mr. Lewis, from the select committee, to whom was referred the resolution to examine the bridges over the River Rouge, Ecorce and Huron, reported that the bridges over the Rouge and Ecorce, are in very good condition, with the exception of the covering, which is somewhat worn and broken. The bridge over the Huron river, the committee have not personally examined, but from undoubted information, were informed that it was in a state of decay, and dangerous in crossing. The covering had been taken from one-half of this bridge by the toll-gatherer, and appropriated to his own use, leaving only one-half of the usual width of said bridge, which is about nine feet, and making it dangerous in the extreme.

The committee further reported that they could not come to any conclusion about the state's right to the toll houses and lands attached to them, not having had time to investigate the matter ; and concluded by recommending the adoption of the following resolution :

Resolved, That the prosecuting attorney for the county of Wayne be authorized to investigate and examine the law authorizing the building of the said bridges over the above mentioned rivers, as follows : Rouge, Ecorce and Huron, and cause them to be fulfilled to the letter.

And said resolution was adopted.

Mr. Videtto, from the committee on roads and bridges, reported " A bill to amend an act entitled 'an act to provide for the laying out of certain state roads and for other purposes,' approved April 13, 1841," and the rule was suspended and said bill passed.

Mr. Livermore, from the committee on claims, to whom was referred a claim of Warner Hunt, sheriff of Oakland county, for attending court of chancery at Pontiac, November 10, reported that no legislation seems to be necessary, as payment for such services are provided for in the session laws of 1840, page 189.

Mr. Livermore, from the same committee, to whom was referred the claim of D. Goodwin, reported adverse to the claim, and moved that the claimant have leave to withdraw his papers.

And leave was granted accordingly.

Mr. Chipman, from the select committee to whom was referred a resolution to inquire into the management, disposition and condition of the university and primary school fund, made a report in detail, accompanied by the testimony elicited on the examination, and concluded by submitting the following resolution which was adopted :

Resolved, That the state treasurer be, and he is, hereby appointed, authorized and required to proceed at such times and places, as to him shall seem most expedient and profitable, to thoroughly investigate the management, disposition and condition of the university and primary school fund, with power to send for persons and papers, and to administer oaths to such persons to testify before him, and also to examine into the management of the university and its branches, and report to the next legislature of this state.

Mr. Dort, from the select committee on supplies, reported the ac-

count of A. S. Bagg for stationery, as correct, and the same was referred to the committee on ways and means.

Mr. Livermore, from the committee on claims, to whom was referred the claim of William Wright, reported adverse thereto, and the committee were discharged from the further consideration thereof.

MESSAGE FROM THE GOVERNOR.

The Speaker announced from the Executive a message containing a communication from the state treasurer in relation to a loan by the superintendent of public instruction to the Wesleyan seminary at Albion, and the receipt of scrip in payment of university and school lands, which was referred to the committee on education.

The following report from the secretary of state, was announced and ordered to be placed on the journal :

SECRETARY OF STATE'S OFFICE, }
Detroit, February 14, 1842. }

To the HON. KINSLEY S. BINGHAM,

Speaker of the House of Representatives :

SIR—The undersigned has this day received from the clerk of the House of Representatives, the following resolution, to wit :

“ *Resolved*, That the secretary of state be directed to report to this House whether any of the books of this state have been taken from his possession, (except as provided for in the revised statutes,) and if so, upon what authority, and for what purposes, and by whom taken.”

In obedience to which, I have the honor to report, That pursuant to a resolution of the Senate, “That the secretary of state be directed to furnish the members and officers of the Senate, who were not members and officers in the year 1840, with the journals of both Houses, with all documents for that year, together with the session laws of 1840, and all other journals and documents as far back as 1836, if any are on hand not wanted for any other purpose,” I furnished to Messrs. Hewitt, Shearer, Trowbridge, Bell, Gidley, Warner, Burch Walker, Cust, Redfield, Kingsley, Granger, Wixom, Wakefield, Champlin, Greenly, the President of the Senate, the secretary, the sergeant-at-arms, recording clerk and messengers of the Senate each, with a copy of the journals of the Senate and House of Representatives for 1836, 1837, 1838, 1839 and 1840, and the

documents of 1839 and 1840. The volumes of laws for 1840, were exhausted and none were furnished. No other "books of the state," have been taken from my possession, (except as provided for in the revised statutes.)

I have the honor to be,

Very respectfully,

R. P. ELDRIDGE,
Secretary of State.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House, "A bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' " which the Senate have passed, and respectfully asking the concurrence of the House therein.

Also, transmitting "A joint resolution relative to a certain assessment roll," which the Senate have adopted, and respectfully asking the concurrence of the House therein.

Also, to return the "Bill to exempt certain property from execution or sale for any debt, damages, fine or amercement," and informing the House that the Senate have passed the same with amendments, in which the concurrence of the House is respectfully asked.

And the "Bill to amend an act entitled 'an act to prescribe the powers and duties of justices of the peace in civil proceedings,' " was referred to the committee on the judiciary.

The "Joint resolution relative to a certain assessment roll," being under consideration, the rule was suspended and it was concurred in.

And the "Bill to exempt certain property from execution or sale for any debt, damages, fine or amercement," being under consideration,

Mr. Bush moved the indefinite postponement of the subject.

Mr. Fessenden called for the yeas and nays.

Mr. Howell moved a call of the House, which being sustained, Mr. Sheldon was absent.

Mr. Sheldon appearing and taking his seat, the question on Mr. Bush's motion was taken by yeas and nays, and lost as follows :

YEAS.

Mr. Arnold,
Mr. Axford,

* Mr. French,
Mr. Gunning,

Mr. Sheldon,
Mr. Walker,

Mr. Babcock,	Mr. Hathaway,	Mr. Wendell,	
Mr. Ball,	Mr. Hewitt,	Mr. White,	
Mr. Bush,	Mr. Livermore,	Mr. Wilson,	
Mr. Cooper,	Mr. Magoon,	Mr. Woodbury,	
Mr. Dort,	Mr. Rice,	Mr. Speaker,	
Mr. Fessenden,	Mr. Scott,		23

NAYS.

Mr. Anderson,	Mr. Hawley,	Mr. Mickle,	
Mr. Annable,	Mr. Howell,	Mr. Norvell,	
Mr. Bennett,	Mr. Humphrey,	Mr. Preston,	
Mr. Berry,	Mr. King,	Mr. Sanborn,	
Mr. Blair,	Mr. Lamb,	Mr. Stuart,	
Mr. Chipman,	Mr. Lewis,	Mr. Smith,	
Mr. Crary,	Mr. Little,	Mr. Turner,	
Mr. Dexter,	Mr. Littlejohn,	Mr. Videtto,	
Mr. Goodwin,	Mr. Lothrop,	Mr. Wing,	
Mr. Hanscom,			28

The question being then taken on the first amendment of the Senate, by yeas and nays, it was concurred in as follows :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Norvell,	
Mr. Annable,	Mr. Humphrey,	Mr. Preston,	
Mr. Blair,	Mr. King,	Mr. Sanborn,	
Mr. Chipman,	Mr. Lamb,	Mr. Sheldon,	
Mr. Crary,	Mr. Lewis,	Mr. Stuart,	
Mr. Dexter,	Mr. Little,	Mr. Smith,	
Mr. Goodwin,	Mr. Littlejohn,	Mr. Turner,	
Mr. Hanscom,	Mr. Lothrop,	Mr. Videtto,	
Mr. Hawley,	Mr. Mickle,	Mr. Wing,	27

NAYS.

Mr. Arnold,	Mr. Dort,	Mr. Rice,	
Mr. Axford,	Mr. Fessenden,	Mr. Scott,	
Mr. Babcock,	Mr. French,	Mr. Walker,	
Mr. Ball,	Mr. Gunning,	Mr. Wendell,	
Mr. Bennett,	Mr. Hathaway,	Mr. White,	
Mr. Berry,	Mr. Hewitt,	Mr. Wilson,	
Mr. Bush,	Mr. Livermore,	Mr. Woodbury,	
Mr. Cooper,	Mr. Magoon,	Mr. Speaker,	24

The second amendment was then concurred in, and the question being taken on the final passage of the bill, it was passed by the following vote :

YEAS.

Mr. Anderson,	Mr. Humphrey,	Mr. Mickle,
Mr. Annable,	Mr. King,	Mr. Norvell,
Mr. Blair,	Mr. Lamb,	Mr. Preston,

Mr. Chipman,	Mr. Lewis,	Mr. Sanborn,
Mr. Crary,	Mr. Little,	Mr. Stuart,
Mr. Dexter,	Mr. Littlejohn,	Mr. Turner,
Mr. Hanscom,	Mr. Livermore,	Mr. Videto,
Mr. Hawley,	Mr. Lothrop,	Mr. Wing,
Mr. Howell,		

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NAYS.

Mr. Arnold,	Mr. Fessenden,	Mr. Sheldon,
Mr. Axford,	Mr. French,	Mr. Smith,
Mr. Babcock,	Mr. Gunning,	Mr. Walker,
Mr. Ball,	Mr. Hathaway,	Mr. Wendell,
Mr. Bennett,	Mr. Hewitt,	Mr. White,
Mr. Bush,	Mr. Magoon,	Mr. Wilson,
Mr. Cooper,	Mr. Rice,	Mr. Woodbury,
Mr. Dort,	Mr. Scott,	Mr. Speaker,

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MESSAGE FROM THE SENATE.

The following message from the Senate by their messenger, Horace S. Roberts, was announced :

A message transmitting to the House " A joint resolution authorizing the state treasurer to receive certain moneys of Garry Spencer," which the Senate have adopted and respectfully asking the concurrence of the House therein.

Mr. Howell moved to lay said resolution on the table.

Mr. Stuart moved to postpone it indefinitely, which motion was lost.

On motion of Mr. Scott, the rule was suspended and the resolution passed.

Mr. Stuart, from the judiciary committee, to whom was referred so much of the Governor's annual message as refers particularly to the judges of the supreme court, and the office of reporter, made a report thereon, which was ordered printed, and submitted the following resolution, and the rule being suspended, the same was adopted :

Resolved by the Senate and House of Representatives of the State of Michigan, That all provisions of law authorizing the payment of a salary to a reporter of the decisions of the supreme court, and of the court of chancery, be and the same are hereby suspended.

Mr. Berry submitted the following resolution :

Resolved, (If the Senate concur,) That the joint resolution fixing on the third Tuesday of February instant, for the adjournment of this legislature, be and the same is hereby suspended until Thursday, the 17th day of February instant.

Mr. Bush moved the suspension of the rule, that the resolution be taken up, which motion was lost, and the same lies on the table.

On motion of Mr. Livermore, the "Bill making appropriations for the payment of certain claims against the state," was taken from the committee of the whole and referred to the committee on ways and means.

On motion of Mr. Fessenden,

Resolved, That so much of the twenty-first rule as requires the second and third readings of bills to be on different days, be suspended.

Mr. Stuart laid the following joint resolution on the table :

Resolved by the Senate and House of Representatives of the State of Michigan, That a bond and mortgage executed by William H. Commins and Benjamin F. Commins to John D. Pierce, as superintendent of public instruction for the state of Michigan, on the twenty-first day of November, in the year of our Lord one thousand eight hundred and forty, to secure the payment of two hundred and seventy-one dollars and fifty-five cents, which said mortgage was recorded in the register's office for the county of Kalamazoo, in liber C of mortgages, on pages three hundred and seventy-two and three hundred and seventy-three, be and the same are hereby cancelled ; and the register of deeds for the county of Kalamazoo is hereby authorized and directed to discharge the said mortgage of record : *Provided*, that all costs growing out of this entire transaction shall be paid by the said Wm. H. Commins and Benj. F. Commins, to the person or persons to whom any legal costs or charges are or shall be due and payable.

The "Bill to exclude a certain farm from the limits of the city of Detroit," was read a third time and passed.

The bill defining the effect of conveyances of the auditor general in certain cases, was taken up, and during its discussion the hour of adjournment having arrived,

The House adjourned until half past two o'clock, P. M.

Afternoon Session.

The House resumed the consideration of the "Bill defining the effect of conveyance of the auditor general in certain cases," and the final question being taken by yeas and nays, said bill was lost by the following vote :

YEAS.

Mr. Annable,	Mr. Crary,	Mr. Lothrop,
Mr. Arnold,	Mr. Dexter,	Mr. Norvell,
Mr. Axford,	Mr. Goodwin,	Mr. Sheldon,
Mr. Ball,	Mr. Gunning,	Mr. Turner,
Mr. Bennett,	Mr. Hanscom,	Mr. Walker,
Mr. Blair,	Mr. Lamb,	Mr. Wilson,
Mr. Bush,	Mr. Little,	Mr. Speaker,
Mr. Chipman,	Mr. Littlejohn,	

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NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,
Mr. Babcock,	Mr. Humphrey,	Mr. Scott,
Mr. Berry,	Mr. King,	Mr. Stuart,
Mr. Cooper,	Mr. Lewis,	Mr. Smith,
Mr. Fessenden,	Mr. Livermore,	Mr. Videto,
Mr. French,	Mr. Magoon,	Mr. White,
Mr. Hathaway,	Mr. Mickle,	Mr. Wing,
Mr. Hawley,	Mr. Preston,	Mr. Woodbury,
Mr. Hewitt,	Mr. Rice,	

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The following message from the Executive, by his private secretary, Mr. Welch, was announced :

To the Senate and House of Representatives :

I respectfully inform the Senate and House of Representatives, that I am prepared to submit a nomination for acting commissioner of internal improvement, and such other nominations as require the action of both branches of the legislature in joint convention, whenever it shall suit their convenience.

JOHN S. BARRY.

Executive Office, February 14, 1842.

On motion of Mr. Crary,

The clerk was directed to wait upon the Senate, and respectfully inform that body that the House were in readiness to meet them in joint convention, when it should suit their convenience, to receive and act upon any communication the Governor might be pleased to make.

Mr. Norvell, from the committee on ways and means, reported a bill to reduce the rate of taxation on real and personal property.

On motion of Mr. Wing,

The House resolved itself into committee of the whole on the "Bill to provide for the completion of certain works of internal improvement, and for other purposes," Mr. Howell in the chair.

During the discussion of which, a verbal message from the Senate was announced, by their messenger, Horace S. Roberts, informing the House that the Senate would forthwith meet them in joint convention.

On motion of Mr. Norvell, a committee of two, consisting of Messrs. Norvell and Stuart, were appointed to conduct the Senate to their seats.

Joint Convention.

The members of the Senate and House of Representatives of the state of Michigan, convened in the hall of the House of Representatives, on the 14th day of February, A. D. 1842, and

The roll being called by the secretary of the Senate, the Senators were all present.

The roll being called by the clerk of the House of Representatives, the Representatives were all present.

On motion of Mr. Norvell, of the House of Representatives, it was *Resolved*, That a committee of two, consisting of one Senator and one Representative, should be appointed to wait upon the Governor, and inform him that the convention were in readiness to receive any communication he might have to make.

The President announced Senator Greenly and Mr. Chipman of the House, as such committee.

The private secretary of the Governor, J. M. Welch, Esq., was announced, with two several messages from the Governor.

The President of the convention then announced the following nomination from the Governor :

To the Senate and House of Representatives, in Joint Convention :

I hereby nominate Thomas W. Wells, of Calhoun county, to be acting commissioner of internal improvement, for one year, to commence on the 8th day of April next, when the term of the present incumbent will expire.

JOHN S. BARRY.

Executive Office, February 14, 1842.

Mr. Norvell, of the House, moved that the convention now proceed to consider the nomination.

Senator Wakefield moved the reference of the nomination to a select committee of three from each house, which motion was lost.

On motion of Mr. Lothrop, of the House, the convention then proceeded to the vote, and the names of the Senators being called by their secretary, voted as follows :

For concurring in the nomination of Thomas W. Wells, as commissioner of internal improvement,

Mr. Bell,	Mr. Granger,	Mr. Shearer,	
Mr. Burch,	Mr. Hewitt,	Mr. Wakefield,	
Mr. Champlin,	Mr. Kingsley,	Mr. Warner,	
Mr. Cust,	Mr. Redfield,	Mr. Wixom,	
Mr. Deming,			13

Declining to vote on said nomination,

Mr. Fuller,	Mr. Greenly,	Mr. Walker,	
Mr. Gidley,	Mr. Trowbridge,		5

Senator Cust moved that the senators declining to vote should be excused from voting.

And the question being taken, the convention refused to excuse them.

On motion of Mr. Goodwin, of the House, said vote was re-considered, and they were excused.

The clerk of the House of Representatives announced the representative vote as follows :

For concurring in the nomination of Thomas W. Wells,

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,	
Mr. Annable,	Mr. Hathaway,	Mr. Preston,	
Mr. Axford,	Mr. Hawley,	Mr. Rice,	
Mr. Babcock,	Mr. Hewitt,	Mr. Sanborn,	
Mr. Ball,	Mr. Howell,	Mr. Scott,	
Mr. Bennett,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Berry,	Mr. King,	Mr. Stuart,	
Mr. Blair,	Mr. Lamb,	Mr. Walker,	
Mr. Bush,	Mr. Lewis,	Mr. Wendell,	
Mr. Chipman,	Mr. Littlejohn,	Mr. White,	
Mr. Cooper,	Mr. Lothrop,	Mr. Wing,	
Mr. Crary,	Mr. Magoon,	Mr. Woodbury,	
Mr. French,	Mr. Mickle,	Mr. Speaker,	49

For non-concurring in said nomination,

Mr. Dexter,	Mr. Hanscom,	Mr. Livermore,	
Mr. Dort,			4

Declining to vote on said nomination,

Mr. Arnold,	Mr. Smith,	Mr. Videto,	
Mr. Fessenden,	Mr. Turner,	Mr. Wilson,	
Mr. Gunning,			7

Mr. Fessenden requested that his name be recorded with those non-concurring.

Mr. Lamb, that his be changed from concurrence to non-concurrence.

On motion of Senator Wakefield, the representatives declining to vote, were excused from voting.

Whereupon, the President of the convention announced the nomination of Thomas W. Wells, for commissioner of internal improvement, as duly confirmed.

The President of the convention then announced the following nominations from the Governor :

To the Senate and House of Representatives, in Joint Convention :

I hereby nominate John E. Schwarz, to be inspector general of the militia of this state.

I also nominate Elijah J. Roberts, to be adjutant general.

I also nominate Ezra Williams, to be quarter master general.

I also nominate Peter Morey, to be judge advocate general.

JOHN S. BARRY.

Executive Office, February 14, 1842.

On motion of Mr. Lothrop, the nominations were considered separately ; and,

The question being on concurring in the nomination of John E. Schwarz, and the names of the Senators being called by their secretary, they voted as follows :

For concurring in the nomination,

Mr. Bell,	Mr. Gidley,	Mr. Shearer,	
Mr. Burch,	Mr. Granger,	Mr. Trowbridge,	
Mr. Champlin,	Mr. Greenly,	Mr. Wakefield,	
Mr. Cust,	Mr. Hewitt,	Mr. Walker,	
Mr. Deming,	Mr. Kingsley,	Mr. Warner,	
Mr. Fuller,	Mr. Redfield,	Mr. Wixom,	18

The clerk of the House of Representatives calling the names of the Representatives, they voted as follows :

For concurring in the nomination,

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Annable,	Mr. Gunning,	Mr. Preston,
Mr. Arnold,	Mr. Hanscom,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Scott,
Mr. Babcock,	Mr. Hawley,	Mr. Sheldon,

Mr. Ball,	Mr. Hewitt,	Mr. Stuart,
Mr. Berry,	Mr. Humphrey,	Mr. Videto,
Mr. Blair,	Mr. King,	Mr. Walker,
Mr. Chipman,	Mr. Lewis,	Mr. Wendell,
Mr. Crury,	Mr. Little,	Mr. White,
Mr. Dexter,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dort,	Mr. Livermore,	Mr. Wing,
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,
Mr. French,	Mr. Mickle,	Mr. Speaker,

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For non-concurring in said nomination,

Mr. Bush,	Mr. Lamb,	Mr. Turner,
Mr. Howell,	Mr. Lothrop,	

5

Whereupon the President of the convention announced the nomination of John E. Schwartz, as inspector general, as duly confirmed.

On motion of Mr. Lothrop, of the House,

The convention proceeded to consider the nominations of Elijah J. Roberts, as adjutant general, Ezra Williams, as quarter master general, and Peter Morey, as judge advocate general, collectively.

And the question being taken on concurring in said nominations, and the names of the Senators being called by the secretary, they voted as follows :

For concurring in said nominations,

Mr. Bell,	Mr. Granger,	Mr. Trowbridge,
Mr. Burch,	Mr. Greenly,	Mr. Wakefield,
Mr. Cust,	Mr. Hewitt,	Mr. Walker,
Mr. Deming,	Mr. Kingsley,	Mr. Warner,
Mr. Fuller,	Mr. Redfield,	Mr. Wixom,
Mr. Gidley,	Mr. Shearer,	

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For non-concurring in said nominations,

Mr. Champlin,	
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1

The clerk of the House of Representatives calling the names of the Representatives, they voted as follows :

For concurring in said nominations,

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,
Mr. Annable,	Mr. Gunning,	Mr. Sanborn,
Mr. Arnold,	Mr. Hanscom,	Mr. Scott,
Mr. Axford,	Mr. Hathaway,	Mr. Sheldon,
Mr. Babcock,	Mr. Hawley,	Mr. Stuart,
Mr. Ball,	Mr. Hewitt,	Mr. Smith,
Mr. Bennett,	Mr. Howell,	Mr. Turner,
Mr. Berry,	Mr. Humphrey,	Mr. Videto,
Mr. Blair,	Mr. King,	Mr. Walker,
Mr. Bush,	Mr. Lamb,	Mr. Wendell,

Mr. Chipman,	Mr. Lewis,	Mr. White,
Mr. Cooper,	Mr. Little,	Mr. Wilson,
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,
Mr. Dort,	Mr. Lothrop,	Mr. Woodbury,
Mr. Fessenden,	Mr. Magoon,	Mr. Speaker,
Mr. French,	Mr. Norvell,	

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For non-concurring in said nominations,

Mr. Mickle, 1

Whereupon, the President of the Senate, announced the nominations of Elijah J. Roberts, as adjutant general, Ezra Williams, as quarter master general, and Peter Morey, as judge advocate general, as duly confirmed.

And, on motion of Senator Greenly, the convention adjourned, *sine die*.

S. YORKE AT LEE,
Secretary of the Senate.

E. J. ROBERTS,
Clerk House of Representatives.

The House was called to order by the Speaker, and the following messages from the Senate, by their messenger, Horace S. Roberts, were announced :

A message returning to the House the following entitled bills, which the Senate have passed :

“ A bill to authorize the erection of certain dams therein named.”

Also, “ A bill to authorize C. S. Hooker and others to erect a dam across the Grand river.”

Also, “ A bill to provide for the erection of a bridge across the Kalamazoo river, at Richmond, in the county of Allegan.”

Also, “ A bill to amend an act entitled ‘ an act to incorporate the borough of Michilimackinac.’ ”

Also, “ A bill to amend chapter fifth, title third, part third of the revised statutes, entitled ‘ of forcible entry and detainer.’ ”

Also, “ A bill in relation to the estate of Joseph Saletto, late of Calhoun county, deceased.”

Also, “ A bill to authorize the county commissioners of Macomb county to remit certain taxes assessed in 1839.”

And said bills were ordered to be enrolled.

Mr. King, from the committee on enrolment, reported as correctly

enrolled "An act to exempt certain property from execution or sale for any debt, damages, fine or amercement."

And the House took a recess until half past six o'clock.

—
Evening Session.

The Speaker resumed the chair.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to authorize the erection of certain dams therein named."

"An act to provide for the erection of a bridge across the Kalamazoo river, at Richmond, in the county of Allegan."

"An act to authorize the county commissioners of the county of Macomb to remit certain taxes assessed in 1839."

"An act to amend an act entitled 'an act for incorporating the borough of Michilimackinac.'"

"An act to amend chapter fifth, title third, part third of the revised statutes, entitled 'of forcible entry and detainer.'"

"An act to authorize C. S. Hooker and others to erect a dam across the Grand river."

And "An act in relation to the estate of Joseph Saleto, late of Calhoun county, Michigan, deceased."

On motion of Mr. Wing,

The House resolved itself again into committee of the whole, on the "Bill to provide for the completion of certain works of internal improvement, and for other purposes;" Mr. Howell in the chair.

After some time spent thereon, the committee rose and reported the same back with amendments, in which they asked the concurrence of the House.

And the question being on concurring in the first amendment, the same was concurred in by yeas and nays as follows :

YEAS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Bush,

Mr. Gunning,
Mr. Hanscom,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Lamb,
Mr. Lewis,

Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,
Mr. Wendell,

Mr. Cooper,
Mr. Fessenden,
Mr. French,

Mr. Livermore,
Mr. Rice,
Mr. Sanborn,

Mr. White,
Mr. Wilson,
Mr. Speaker, 30

NAYS.

Mr. Ball,
Mr. Chipman,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Humphrey,

Mr. King,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Mickle,

Mr. Norvell,
Mr. Preston,
Mr. Stuart,
Mr. Wing,
Mr. Woodbury, 16

The question being on concurring in the second amendment, it was lost by yeas and nays as follows :

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bush,
Mr. Cooper,
Mr. Fessenden,
Mr. French,

Mr. Gunning,
Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. Howell,
Mr. Magoon,

Mr. Rice,
Mr. Scott,
Mr. Smith,
Mr. Videto,
Mr. Wendell,
Mr. Speaker, 20

NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Chipman,
Mr. Crary,
Mr. Dexter,

Mr. Goodwin,
Mr. Humphrey,
Mr. Lamb,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Lothrop,
Mr. Mickle,

Mr. Norvell,
Mr. Sanborn,
Mr. Sheldon,
Mr. Stuart,
Mr. Turner,
Mr. White,
Mr. Wing,
Mr. Woodbury, 25

And the House adjourned until to-morrow morning, at nine o'clock.

Tuesday, February 15, 1842.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Duffield.

The journal of yesterday was read and approved.

PETITIONS.

By Mr. Dort. Petition of C. W. Brink, guardian of John Brink and George W. Brink, relative to damages to real estate by the location of the Central railroad.

By Mr. Scott. Of Daniel C. Vreeland and others, for the appoint-

ment of three commissioners to lay out and establish a state road from Huron river, at Flat Rock, in the county of Wayne, to Oakville, in the county of Monroe. Referred to the committee on roads and bridges.

REPORTS.

Mr. Dort, from the committee on printing, reported the Senate "Joint resolution authorizing the secretary of state to contract for paper," back to the House, and recommended its adoption. And the rule was suspended, and said resolution concurred in.

Mr. Dort, also, from the same committee, to whom was referred the claim of S. Trudal, for translating the Governor's message in 1841, reported adversely, and the committee were discharged from the further consideration thereof.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to change the time for holding the circuit court in the county of Clinton;" a "Joint resolution to furnish officers and messengers of both houses with laws, documents and journals," and "An act prescribing the duties to be performed by the acting commissioner of internal improvement."

Mr. Hanscom, from the committee on revision, reported back to the House as correct :

"A bill to annul the corporate rights of certain banks, and for other purposes."

Also, a "Joint resolution authorizing the state treasurer to receive certain moneys of Garry Spencer."

Also, a "Joint resolution relative to a certain assessment roll."

Also, "A bill to exclude a certain farm from the limits of the city of Detroit."

Also, "A bill to amend an act entitled 'an act to provide for the laying out of certain state roads, and for other purposes,' approved April 18, 1841."

Mr. Dort, from the committee on printing, to whom was referred the account of Dawson & Bates, made a report in detail.

Mr. Chipman offered the following preamble and resolution :

Whereas, Messrs. Dawson & Bates, in an account allowed and paid last year, charged double composition upon all joint documents :
be it enacted, that they charged the House forty cents per thousand ems, and

the Senate forty cents for the same, when there was actually but once composition, making eighty cents per thousand ems for doing that which a few days since they offered to do for thirty-four cents per thousand ems. Their bill thus rendered and allowed last year, amounted to over one thousand dollars for that kind of work, for which they have received, in fact, eighty cents per thousand, while nominally, it was only forty cents. There were other equally unjust and corrupt charges made by those gentlemen last year, which were allowed and paid ; and

Whereas, The committee on printing of this House, have now discovered that Messrs. Dawson & Bates, in their bill now before this body, have charged the state with paper to the amount of eight or nine hundred dollars, which they have not used upon the work done for the state ; and that said Dawson & Bates have acknowledged to said committee, since their bill has been before this body, that they have charged the state with one hundred and eleven reams more than they should have done ; and

Whereas, The said Dawson & Bates have attempted to practice a gross fraud upon this House, in the purchase of paper for public printing, and also in over charging the ems in publishing the laws, journals, documents, &c., in the state paper, increasing one thousand three hundred ems to one thousand five hundred on each page, and so sought to speculate from the public treasury ; and

Whereas, The said Dawson & Bates have charged in the same bill for publishing two hundred and fifty pages of laws in the state paper, when there are only two hundred and twenty-one pages of laws and resolutions in the volume ; and as said Dawson & Bates have acknowledged an error of twelve pages over charged in that particular, and as this charge for publishing two hundred and fifty pages of laws in the state paper is made in the face of an appropriation which will be found on the 169th page of the session laws of 1841, allowing pay to said Dawson & Bates for publishing these same laws, up to and including the thirty-second act, making fifty-two pages laws, which are here again charged for ; and

Whereas, There appears to be an appropriation contained on the 196th page of the session laws of 1841, of five thousand dollars, to George Dawson, for the purpose of purchasing paper for the state

work, to have been done after the adjournment of the last legislature ; and as it is understood and believed, that the said appropriation has been drawn from the treasury of the state, and as there appears to be no credit to the state for said appropriation, upon the bill of Messrs. Dawson & Bates, now before this body, and as it appears by their said bill, that they have charged the state not only with all the paper they have used upon the state work, but with some one hundred and seventy or one hundred and eighty reams more, which they have not used ; and

Whereas, It is thought that the bill of Messrs. Dawson & Bates, now before this body, is corrupt and unjust in every particular, as well as those which have been previously allowed and paid to those gentlemen ; therefore,

Resolved, That the account of Messrs. Dawson & Bates be referred to the board of state auditors, together with the entire bills of the said Dawson & Bates, from the time they commenced the execution of the public printing, who are hereby empowered to send for persons and papers, by which means they can enter into a full and minute examination of said bills ; and that the said board be authorized to allow to said Dawson & Bates, what they may deem to be right and just, after having made such examination ; and that the treasurer be authorized to pay to said Dawson & Bates the amount which said board shall agree to be their just due, without any further action of the legislature.

On motion of Mr. Lothrop, the resolution was amended by inserting :

“ Provided, That the auditor general, state treasurer and secretary of state, shall allow forty cents for one thousand ems for composition, and forty cents per token for press work.”

Mr. Lamb moved to amend by inserting in the resolution, after the words “ public printing,”

“ Together with all accounts of the Messrs. Baggs, for printing done for, and paper furnished to the state ; and in reviewing the accounts of Mr. Baggs, it shall be optional with the board to fix the same price for said work as is to be allowed Messrs. Dawson & Bates.”

Which amendment was lost, by the following vote :

YEAS.

Mr. Annable,	Mr. Howell,	Mr. Sheldon,
Mr. Arnold,	Mr. Lamb,	Mr. Stuart,
Mr. Ball,	Mr. Lewis,	Mr. Smith,
Mr. Bush,	Mr. Mickle,	Mr. Turner,
Mr. Fessenden,	Mr. Preston,	Mr. Walker,
Mr. Hanscom,	Mr. Rice,	Mr. Wilson,
Mr. Hathaway,	Mr. Scott,	

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NAYS.

Mr. Anderson,	Mr. Dexter,	Mr. Little,
Mr. Axford,	Mr. Dort,	Mr. Littlejohn,
Mr. Babcock,	Mr. French,	Mr. Norvell,
Mr. Bennett,	Mr. Goodwin,	Mr. Videto,
Mr. Blair,	Mr. Gunning,	Mr. Wendell,
Mr. Chipman,	Mr. Hewitt,	Mr. White,
Mr. Cooper,	Mr. Humphrey,	Mr. Wing,
Mr. Crary,	Mr. King,	Mr. Speaker,

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Mr. Lamb moved to strike out "together with the entire bills of the said Dawson & Bates, from the time they commenced the execution of the public printing," which was adopted, by yeas and nays, as follows :

YEAS.

Mr. Anderson,	Mr. Hathaway,	Mr. Preston,
Mr. Annable,	Mr. Hawley,	Mr. Rice,
Mr. Axford,	Mr. Howell,	Mr. Sanborn,
Mr. Babcock,	Mr. King,	Mr. Scott,
Mr. Bennett,	Mr. Lamb,	Mr. Sheldon,
Mr. Berry,	Mr. Lewis,	Mr. Smith,
Mr. Cooper,	Mr. Little,	Mr. Turner,
Mr. Dexter,	Mr. Littlejohn,	Mr. Videto,
Mr. Fessenden,	Mr. Livermore,	Mr. Walker,
Mr. French,	Mr. Lothrop,	Mr. White,
Mr. Gunning,	Mr. Mickle,	Mr. Wilson,
Mr. Hanscom,	Mr. Norvell,	Mr. Wing,

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NAYS.

Mr. Arnold,	Mr. Dort,	Mr. Stuart,
Mr. Ball,	Mr. Goodwin,	Mr. Wendell,
Mr. Blair,	Mr. Hewitt,	Mr. Speaker,
Mr. Chipman,	Mr. Humphrey,	

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Mr. Turner moved to strike out the word "resolved," and insert "be it enacted," which motion was adopted.

Mr. Lamb moved to strike out "after deducting former excesses of payment," which motion was lost.

Mr. Gunning moved a reconsideration of the vote last taken by yeas and nays

Mr. Wing called for the previous question, which was not sustained.

The question being taken on reconsidering, the motion prevailed.

The question then recurring on striking out, the motion was lost, and the words were retained, and the bill ordered to be engrossed.

On motion of Mr. Fessenden, the preamble was laid on the table.

On motion of Mr. Norvell, the accounts of Dawson & Bates were recommitted to the committee on printing.

Mr. Livermore, from the committee on claims, to whom was referred the claim of E. B. Harrington for printing three hundred and seventy-two pages chancery reports, have investigated the same, and are of the opinion that the statutes fixing the salary of chancery reporter and allowing him the profits of the sales of his reports, renders legislation on the subject unnecessary. They ask to be discharged from further consideration of the same, and move that the claimant have leave to withdraw his papers.

They also report back the claims of Ira R. Grosvenor, F. H. Hawley and Jesse Norris, asking compensation for services rendered investigating committee in 1840. Said claims may be just, but are unaccompanied with vouchers or proof. The committee ask to be discharged from the subject.

And the committee were discharged and petitioners granted leave accordingly.

Mr. Stuart, from the judiciary committee, to whom was referred the petition of Lambert Cachois, asking leave to convey certain real estate belonging to his heirs, reported against the prayer of the petitioner, and asked to be discharged.

The committee were discharged accordingly.

Mr. Stuart, from the judiciary committee, asked leave to introduce a bill to authorize John A. Wendell to erect a certain dam and to construct a certain mill race in the county of Oakland; and said bill was referred to the committee of the whole.

Also, reported a bill in relation to certain actions of ejectment, which was referred to the committee of the whole.

And asked to be discharged from the further consideration of the

memorial from the county commissioners of the county of Ottawa ; and also from the petition of E. B. Harrington.

And the committee were discharged accordingly.

Mr. Crary, from the committee on education, to whom was referred the special message of the Governor, with a letter from the state treasurer on the subject of the university and school fund, and university and primary school interest fund, made a report which was ordered printed, concluding with the following resolution, which was adopted :

Resolved, That further legislation on the subject matter of the reference is unnecessary.

Mr. Berry called up his resolution to extend the time for the adjournment of the legislature.

Mr. Lamb moved its indefinite postponement, which motion was lost, by yeas, and nays as follows :

YEAS.

Mr. Anderson,	Mr. Hewitt,	Mr. Rice,
Mr. Axford,	Mr. Lamb,	Mr. Scott,
Mr. Bush,	Mr. Little,	Mr. Smith,
Mr. Cooper,	Mr. Magoon,	Mr. Turner,
Mr. Fessenden,	Mr. Mickle,	Mr. Videto,
Mr. French,	Mr. Norvell,	Mr. White,
Mr. Hathaway,	Mr. Preston,	Mr. Speaker,
Mr. Hawley,		

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NAYS.

Mr. Annable,	Mr. Dort,	Mr. Livermore,
Mr. Babcock,	Mr. Gunning,	Mr. Lothrop,
Mr. Ball,	Mr. Hanscom,	Mr. Sanborn,
Mr. Bennett,	Mr. Howell,	Mr. Sheldon,
Mr. Berry,	Mr. Humphrey,	Mr. Stuart,
Mr. Blair,	Mr. King,	Mr. Walker,
Mr. Chipman,	Mr. Lewis,	Mr. Wendell,
Mr. Crary,	Mr. Littlejohn,	Mr. Wing,
Mr. Dexter,		

25

On motion of Mr. Goodwin, the word "suspended" was stricken out, and "extended" inserted.

Mr. Crary moved to insert "nine o'clock P. M.," after the words "seventeenth day of February instant."

Mr. Lamb moved to insert "four o'clock, P. M.," which motion prevailed.

Mr. Howell moved to strike out "Thursday" and insert "Friday."

Mr. Annable to amend by inserting "Monday."

Mr. Lamb moved to reconsider the vote striking out the word "suspended."

Mr. Howell moved an adjournment, which was lost.

The question being divided on the motion of Mr. Howell, relative to striking out, "Thursday" was stricken out.

The question being taken on inserting "Monday," the motion was lost.

Mr. Anderson moved to insert "Saturday," which motion was lost.

Mr. Lamb moved to insert "Tuesday." Lost.

Mr. Howell, "Friday," which motion prevailed, and the resolution was adopted in the following words :

Resolved, (if the Senate concur,) That the joint resolution fixing on the third Tuesday of February instant, for the adjournment of this legislature, be and the same is hereby extended until Friday, the eighteenth day of February instant, at four o'clock, P. M.

The question having been taken by yeas and nays, and the vote standing as follows :

YEAS.

Mr. Annable,	Mr. Gunning,	Mr. Livermore,
Mr. Arnold,	Mr. Hanscom,	Mr. Lothrop,
Mr. Babcock,	Mr. Hathaway,	Mr. Scott,
Mr. Berry,	Mr. Hawley,	Mr. Sheldon,
Mr. Chipman,	Mr. Hewitt,	Mr. Stuart,
Mr. Crary,	Mr. Howell,	Mr. Videto,
Mr. Dexter,	Mr. Humphrey,	Mr. Walker,
Mr. Dort,	Mr. King,	Mr. Wing,
Mr. Goodwin,	Mr. Littlejohn,	

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NAYS.

Mr. Anderson,	Mr. French,	Mr. Rice,
Mr. Axford,	Mr. Lamb,	Mr. Sanborn,
Mr. Ball,	Mr. Lewis,	Mr. Smith,
Mr. Bennett,	Mr. Little,	Mr. Turner,
Mr. Blair,	Mr. Magoon,	Mr. Wendell,
Mr. Bush,	Mr. Mickle,	Mr. White,
Mr. Cooper,	Mr. Norvell,	Mr. Speaker,
Mr. Fessenden,	Mr. Preston,	

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Mr. Humphrey, from the committee on expenditures, reported on the balance of the accounts remaining in his hands, and they were referred to the committee on ways and means.

Mr. Dort, from the committee on printing, the same, with like reference.

Mr. Dort, from the committee on supplies, the same, with like reference.

And the House adjourned until half past two o'clock, P. M.

—
Afternoon Session.

A message was announced from the Governor, covering a communication from the secretary of state, on the subject of the joint resolution of 1840, relative to documents, journals and laws, which was referred to the committee on education.

On motion of Mr. Goodwin, the report of the secretary of state of yesterday was referred to the same committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor, by his private secretary, Mr. Welch, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, "An act to authorize the erection of certain dams therein named."

"An act to provide for the erection of a bridge across the Kalamazoo river, at Richmond, in the county of Allegan."

"An act to authorize the county commissioners of the county of Macomb to remit certain taxes assessed in 1839."

"An act to authorize C. S. Hooker and others to erect a dam across the Grand river."

"An act to amend chapter fifth, title third, part third of the revised statutes, entitled 'of forcible entry and detainer.'"

"An act to amend an act entitled 'an act to incorporate the borough of Michilimackinac.'"

"An act in relation to the estate of Joseph Saleto, late of Calhoun county, Michigan, deceased."

"A joint resolution relative to state warrants."

JOHN S. BARRY.

Executive Office, February 15, 1842

Mr. Lewis offered the following resolution :

Resolved, That the commissioners of internal improvement be in-

structed to cause a train of passenger cars to run over the Central railroad on the first day of the week, at the same hour that it does on other days.

On motion of Mr. Norvell, the resolution was so amended as to read after the word "resolved," "by the Senate and House of Representatives."

Mr. Wing moved the indefinite postponement of the resolution, which was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Little,	Mr. Smith,
Mr. Arnold,	Mr. Littlejohn,	Mr. Wendell,
Mr. Fessenden,	Mr. Livermore,	Mr. Wing,
Mr. Hawley,	Mr. Magoon,	Mr. Woodbury,
Mr. Humphrey,	Mr. Preston,	Mr. Speaker,
Mr. Lamb,	Mr. Sheldon,	

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NAYS.

Mr. Annable,	Mr. Goodwin,	Mr. Norvell,
Mr. Axford,	Mr. Gunning,	Mr. Rice,
Mr. Babcock,	Mr. Hanscom,	Mr. Sanborn,
Mr. Ball,	Mr. Hathaway,	Mr. Scott,
Mr. Bennett,	Mr. Hewitt,	Mr. Stuart,
Mr. Blair,	Mr. Howell,	Mr. Turner,
Mr. Bush,	Mr. King,	Mr. Videto,
Mr. Chipman,	Mr. Lewis,	Mr. Walker,
Mr. Cooper,	Mr. Lothrop,	Mr. White,
Mr. Crary,	Mr. Mickle,	Mr. Wilson,
Mr. French,		

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The question being taken on the passage of the resolution, by yeas and nays, it was adopted by the following vote :

YEAS.

Mr. Annable,	Mr. Crary,	Mr. Mickle,
Mr. Axford,	Mr. Dort,	Mr. Norvell,
Mr. Babcock,	Mr. French,	Mr. Rice,
Mr. Bennett,	Mr. Gunning,	Mr. Stuart,
Mr. Berry,	Mr. Hanscom,	Mr. Videto,
Mr. Blair,	Mr. Hathaway,	Mr. Walker,
Mr. Bush,	Mr. Hewitt,	Mr. Wendell,
Mr. Chipman,	Mr. Howell,	Mr. Wilson,
Mr. Cooper,	Mr. Lewis,	Mr. Woodbury,

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NAYS.

Mr. Anderson,	Mr. King,	Mr. Sanborn,
Mr. Arnold,	Mr. Lamb,	Mr. Scott,
Mr. Ball,	Mr. Little,	Mr. Sheldon,
Mr. Dexter,	Mr. Littlejohn,	Mr. Smith,

Mr. Fessenden,	Mr. Livermore,	Mr. Turner,
Mr. Goodwin,	Mr. Lothrop,	Mr. White,
Mr. Hawley,	Mr. Magoon,	Mr. Wing,
Mr. Humphrey,	Mr. Preston,	Mr. Speaker,

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Mr. Fessenden, from the committee on education, to whom was referred the special message of the executive, covering a communication from the secretary of state, in relation to furnishing library societies, institutes and lyceums, with copies of the laws, journals and documents, reported the following joint resolution ; and the rule was suspended and the resolution passed :

Resolved by the Senate and House of Representatives of the State of Michigan, That the joint resolution entitled "Joint resolution relative to the Detroit young men's society, and lyceums and library societies," approved March 31, 1840, be, and the same is hereby repealed.

Mr. Fessenden, also, from the same committee, to whom was referred the communication of the secretary of state, of yesterday, reported the same back, and it was referred, on his motion, to the committee on federal relations.

UNFINISHED BUSINESS.

The House then took up the "Bill to provide for the completion of certain works of internal improvement, and for other purposes," and the question being on concurring with the third amendment of the committee of the whole, it was concurred in by the following vote :

YEAS.

Mr. Arnold,	Mr. Fessenden,	Mr. Livermore,
Mr. Axford,	Mr. French,	Mr. Magoon,
Mr. Babcock,	Mr. Hanscom,	Mr. Turner,
Mr. Berry,	Mr. Hathaway,	Mr. Videto,
Mr. Bush,	Mr. Hawley,	Mr. Walker,
Mr. Cooper,	Mr. Howell,	Mr. Wendell,
Mr. Crary,	Mr. Humphrey,	Mr. Wilson,
Mr. Dexter,	Mr. Lewis,	Mr. Speaker,
Mr. Dort,	Mr. Little,	

26

NAYS.

Mr. Anderson,	Mr. Lamb,	Mr. Scott,
Mr. Annable,	Mr. Littlejohn,	Mr. Sheldon,
Mr. Ball,	Mr. Lothrop,	Mr. Stuart,
Mr. Bennett,	Mr. Mickle,	Mr. Smith,
Mr. Blair,	Mr. Norvell,	Mr. White,

Mr. Chipman,	Mr. Preston,	Mr. Wing,	
Mr. Goodwin,	Mr. Rice,	Mr. Woodbury,	
Mr. King,	Mr. Sanborn,		23

Mr. Lamb then moved an indefinite postponement of the bill, which was lost by yeas and nays as follows :

YEAS.

Mr. Arnold,	Mr. Hanscom,	Mr. Sanborn,	
Mr. Axford,	Mr. Hathaway,	Mr. Scott,	
Mr. Babcock,	Mr. Hawley,	Mr. Sheldon,	
Mr. Bush,	Mr. Hewitt,	Mr. Turner,	
Mr. Cooper,	Mr. Lamb,	Mr. Videto,	
Mr. Fessenden,	Mr. Magoon,	Mr. Wendell,	
Mr. French,	Mr. Rice,	Mr. Speaker,	
Mr. Gunning,			22

NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,	
Mr. Annable,	Mr. Howell,	Mr. Preston,	
Mr. Ball,	Mr. Humphrey,	Mr. Stuart,	
Mr. Bennett,	Mr. King,	Mr. Smith,	
Mr. Berry,	Mr. Lewis,	Mr. Walker,	
Mr. Blair,	Mr. Little,	Mr. White,	
Mr. Chipman,	Mr. Littlejohn,	Mr. Wilson,	
Mr. Crary,	Mr. Livermore,	Mr. Wing,	
Mr. Dexter,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Dort,	Mr. Mickle,		29

Mr. Hanscom moved to strike out all after the enacting clause, and insert the following as a substitute :

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Michigan*, That the sum of one hundred and five thousand dollars be, and the same is hereby appropriated, out of any moneys not otherwise appropriated, that shall come into the treasury of the state to the credit of the internal improvement fund, for the purpose of ironing the Southern railroad from the the village of Adrian, in the county of Lenawee, to the village of Hillsdale, in the county of Hillsdale, and for the erection of the necessary depots and water stations.

Sec. 2. In case no moneys shall come into the treasury to the credit of said internal improvement fund, or not sufficient for ironing and fitting for use said road, as provided for in the first section of this act, then the board of commissioners of internal improvement are hereby authorized and empowered, on the part of the state, to pledge the said road for the purchase and payment of a sufficient

quantity of iron for the same, out of the nett proceeds thereof, in yearly instalments, not exceeding three years, as they shall deem best for the interest of the state.

Sec 3. That the sum of twenty-eight thousand dollars be, and the same is hereby appropriated out of the nett earnings of the railroads of this state, for the purchase of locomotive engines, for the use of the Central and Southern railroads.

Sec. 4. That a sum not exceeding twenty-four thousand dollars be, and the same is hereby appropriated out of the nett proceeds of the Southern railroad, for the purpose of re-constructing, or putting in repair the La Plaisance bay railroad, and fitting it for running the state cars with locomotive power, if, in the opinion of the board of internal improvement, that will effect a suitable termination for the Southern railroad ; and the board of internal improvement are hereby authorized, after personal examination, if, in their judgment the interest of the state shall require it, to change the location of said road to the mouth of the ship canal, or to such other points as they shall deem best, and make such alteration and improvements as the interest of the state may require : but the expense of such alterations and improvements shall not exceed the amount in this section appropriated for the purpose ; and in case the said board shall determine to change the location, or make other alterations or improvements, so as to effect a more convenient eastern termination to said Southern railroad, they are hereby authorized to contract forthwith, on the most reasonable terms they can obtain, for the construction of said extension, and other necessary improvements.

Sec. 5. That no debt shall be incurred, or liability created for the purpose of carrying this act into effect, and no expenditures made, or contracts entered into, except in the manner and under the limitations hereinbefore provided.

Sec. 6. This act to take effect and be in force from and after its passage.

The question being taken by yeas and nays, it was lost as follows :

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,

Mr. French,
Mr. Gunning,
Mr. Hanscom,

Mr. Lamb,
Mr. Mickle,
Mr. Scott,

Mr. Bush,
Mr. Cooper,
Mr. Fessenden,

Mr. Hathaway,
Mr. Howell,

Mr. Wendell,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Chipman,
Mr. Crary,
Mr. Dexter,
Mr. Goodwin,
Mr. Hawley,

Mr. Hewitt,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,
Mr. Norvell,
Mr. Preston,

Mr. Rice,
Mr. Sanborn,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,
Mr. White,
Mr. Woodbury,

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Mr. Turner moved to strike out the third division of the first section, and insert,

“For removing obstructions and improving the navigation of the Flint and Cass rivers, two thousand dollars, and for the improvement of the navigation of the Shiawassee river, the sum of five thousand dollars.”

Debates arising, Mr. Lothrop called for the previous question, which was sustained.

The question being then taken on Mr. Turner's amendment, to strike out the third division of the first section, it prevailed.

The question on his substitute, was decided by yeas and nays as follows :

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,

Mr. French,
Mr. Goodwin,
Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Humphrey,
Mr. King,
Mr. Lamb,
Mr. Littlejohn,

Mr. Livermore,
Mr. Lothrop,
Mr. Magoon,
Mr. Norvell,
Mr. Scott,
Mr. Turner,
Mr. Videto,
Mr. Wing,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Berry,

Mr. Howell,
Mr. Lewis,
Mr. Little,
Mr. Mickle,
Mr. Preston,

Mr. Stuart,
Mr. Smith,
Mr. Walker,
Mr. Wendell,
Mr. White,

Mr. Blair,
Mr. Gunning,
Mr. Hewitt,

Mr. Rice,
Mr. Sanborn,
Mr. Sheldon,

Mr. Wilson,
Mr. Woodbury,

23

The question being then taken on ordering the bill engrossed, the bill was lost as follows :

YEAS.

Mr. Annable,
Mr. Ball,
Mr. Berry,
Mr. Blair,
Mr. Chipman,
Mr. Crary,
Mr. Goodwin,

Mr. Howell,
Mr. Humphrey,
Mr. Little,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Mickle,
Mr. Stuart,
Mr. Turner,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,

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NAYS.

Mr. Anderson,
Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Bush,
Mr. Cooper,
Mr. Dexter,
Mr. Fessenden,
Mr. French,
Mr. Gunning,

Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Magoon,
Mr. Norvell,
Mr. Preston,

Mr. Rice,
Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Videto,
Mr. Walker,
Mr. Wendell,
Mr. White,
Mr. Speaker,

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Mr. Norvell moved to re-consider the last vote, which motion prevailed.

The question being again taken on ordering the same engrossed, it was lost as follows :

YEAS.

Mr. Ball,
Mr. Berry,
Mr. Blair,
Mr. Chipman,
Mr. Crary,

Mr. Goodwin,
Mr. Howell,
Mr. Humphrey,
Mr. Little,
Mr. Littlejohn,

Mr. Mickle,
Mr. Stuart,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Bush,
Mr. Cooper,
Mr. Dexter,

Mr. Hanscom,
Mr. Hathaway,
Mr. Hawley,
Mr. Hewitt,
Mr. King,
Mr. Lamb,
Mr. Lewis,
Mr. Livermore,
Mr. Lothrop,

Mr. Preston,
Mr. Rice,
Mr. Sanborn,
Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,

Mr. Fessenden,
Mr. French,
Mr. Gunning,

Mr. Magoon,
Mr. Norvell,

Mr. White,
Mr. Speaker,

MESSAGES FROM THE SENATE.

The following messages from the Senate, by their messenger, Horace S. Roberts, were announced :

A message transmitting to the House " A bill to provide for the connection of the Palmyra and Jacksonburgh railroad with the state Southern railroad," which the Senate have passed and respectfully ask the concurrence of the House therein.

And said bill was referred to the committee on internal improvement.

A message transmitting to the House " A bill to amend title seventh, part second, chapter second, section sixth of the revised statutes, entitled ' of divorce,' " which the Senate have passed and respectfully asking the concurrence of the House therein.

And said bill was referred to the committee on the judiciary.

A message transmitting to the House " A bill amendatory of the statutes, relative to partition of real estate ;" also, " A bill for the protection of religious meetings," which the Senate have passed and respectfully asking the concurrence of the House therein ; also, to return to the House " A bill to change the time for holding the circuit court for the county of Clinton," and to inform the House that the Senate have concurred therein, and duly passed the same.

And the two first named bills were referred to the committee on the judiciary, and the latter ordered to be enrolled.

A message returning to the House a " Joint resolution extending the time for adjournment of the legislature," and respectfully informing the House that the Senate non-concur therein ; also returning a " Joint resolution relative to reporter of supreme court and court of chancery," and respectfully informing the House that the Senate have concurred therein.

And the last named resolution was ordered to be enrolled.

A message transmitting to the House " A bill for the relief of S. Yorke At Lee," which the Senate have passed and respectfully asking the concurrence of the House therein ; also, a " Joint resolution relative to furnishing states with certain documents ;" also, a " Joint

resolution relative to the distribution of the session laws, journals, documents, &c.;" also, a "Joint resolution relative to claim of Mark Norris," which the Senate have adopted and respectfully asking the concurrence of the House therein; also, returning the "Bill to correct the plat of the village of Sherman, and the addition thereto, and for other purposes," and to inform the House that the Senate have concurred therein, and duly passed the same; also, to return the "Bill to annul the corporate rights of certain banks, and for other purposes," and respectfully informing the House, that the Senate have concurred in the amendment made by the House to the Senate amendments thereto.

And the "Bill for the relief of S. Yorke At Lee," was referred to the committee on the judiciary.

The resolutions severally concurred in.

And the bills passed ordered to be enrolled.

A message transmitting to the House "A Bill to provide for the laying out and establishing of a certain state road," which the Senate have passed, and respectfully asking the concurrence of the House therein.

Also, returning a "Joint resolution to furnish officers and messengers of both houses with laws, documents and journals," and informing the House that the Senate have receded from their amendment thereto, and duly adopted the same.

Also, returning "A Bill prescribing certain duties to be performed by the acting commissioner of internal improvement," and to inform the House that the Senate have concurred therein, and duly passed the same.

Also, to transmit a "Preamble and joint resolution relative to the apportionment of school moneys," which the Senate have adopted and respectfully asking the concurrence of the House therein.

And the "Bill to provide for the laying out and establishing a certain state road," was referred to the committee on roads and bridges.

The "Preamble and joint resolution relative to the apportionment of school moneys" concurred in.

And the others ordered to be enrolled.

COMMITTEE OF THE WHOLE.

The House then resolved itself into committee of the whole on the "Bill to provide for the adjustment of the five million loan;" Mr. Crary in the chair.

Also, on the "Bill to reduce the rate of taxation on real and personal property."

Also, on the "Bill in relation to the salt springs and the lands granted for the use of the same."

After going through the said several bills, the committee rose and reported the same back to the House, and asked concurrence therein.

And the House took a recess until half past six o'clock.

Evening Session.

The "Bill in relation to the salt springs and the lands granted for the use of the same," was taken up, amended by adding an additional section offered by Mr. Crary, and ordered engrossed.

Mr. Lothrop moved the suspension of the rule, for the evening, requiring the third reading of bills on a second day; which motion was lost.

The "Bill to reduce the rate of taxation on real and personal property" was taken up and passed, by yeas and nays as follows:

YEAS.

Mr. Arnold,	Mr. Hanscom,	Mr. Rice,
Mr. Axford,	Mr. Hathaway,	Mr. Scott,
Mr. Ball,	Mr. Hawley,	Mr. Sheldon,
Mr. Berry,	Mr. Hewitt,	Mr. Stuart,
Mr. Blair,	Mr. Howell,	Mr. Smith,
Mr. Bush,	Mr. Humphrey,	Mr. Turner,
Mr. Chipman,	Mr. King,	Mr. Videto,
Mr. Dort,	Mr. Lamb,	Mr. White,
Mr. Fessenden,	Mr. Livermore,	Mr. Wilson,
Mr. French,	Mr. Lothrop,	Mr. Wing,
Mr. Goodwin,	Mr. Mickle,	Mr. Woodbury,
Mr. Gunning,	Mr. Norvell,	Mr. Speaker,

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NAYS.

Mr. Anderson,	Mr. Bennett,	Mr. Dexter,	3
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The "Bill in relation to state salt springs and the lands granted for the use of the same," was then read a third time and passed.

The "Bill to provide for the adjustment of the five million loan," was taken up and passed.

Mr. Norvell, from the committee on ways and means, introduced a "Bill for making certain appropriations for the year eighteen hundred and forty-two," which was referred to the committee of the whole.

Mr. Wing, from the committee on internal improvement, to whom was referred the Senate "Bill to provide for the connection of the Palmyra and Jacksonburgh rail road with the state southern rail road," reported the same back without amendment, and it was referred to the committee of the whole.

Mr. Livermore, from the committee on ways and means, to whom was referred the "Bill for the relief of S. Yorke At Lee," reported the same back and it was referred to the committee of the whole.

Mr. Norvell, from the committee on ways and means, introduced a "Bill making appropriations for expenses incurred prior to 1st January, 1842," which was referred to the committee of the whole.

The report from the committee on printing was then taken up and referred to the Secretary of State, State Treasurer and Auditor General.

The "Bill to provide for auditing and settling the claims of Messrs. Dawson & Bates" was read a third time and passed.

The House then went into committee of the whole, Mr. Chipman in the chair, on the "Bill to incorporate the Baptist convention of the state of Michigan," and after some time spent thereon, rose and reported the same back without amendment, and

The House having the same under consideration the bill was read a third time and passed by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,
Mr. Annable,	Mr. Hanscom,	Mr. Sanborn,
Mr. Ball,	Mr. Hawley,	Mr. Sheldon,
Mr. Bennett,	Mr. Hewitt,	Mr. Stuart,
Mr. Berry,	Mr. Howell,	Mr. Smith,
Mr. Blair,	Mr. King,	Mr. Turner,
Mr. Chipman,	Mr. Little,	Mr. Videto,
Mr. Cooper,	Mr. Littlejohn,	Mr. Wendell,
Mr. Dexter,	Mr. Livermore,	Mr. White,
Mr. Dort,	Mr. Magoon,	Mr. Wilson,
Mr. Fessenden,	Mr. Preston,	Mr. Speaker,

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NAYS.

Mr. Arnold,	Mr. French,	Mr. Scott,
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Mr. Axford,	Mr. Hathaway,	Mr. Walker,
Mr. Bush,	Mr. Mickle,	Mr. Woodbury,
Mr. Crary,	Mr. Norvell,	11

A message was received from the Senate, by their messenger, Horace S. Roberts :

Returning to the House the " Bill to repeal the charters of certain banks and for other purposes" and informing the House that the Senate have passed the same with certain amendments, in which the concurrence of the House is respectfully asked.

And said amendments were concurred in, and the bill ordered to be enrolled.

The House again resolved itself into committee of the whole, Mr. Stuart in the chair, on the " Bill to organize certain townships, and for other purposes ;" and after some time spent thereon, rose and reported the same back to the House with sundry amendments, which were concurred in and the bill passed.

The following messages were announced from the Senate, by their messenger, Horace S. Roberts :

A message transmitting to the House a " Joint resolution relative to adjournment of the legislature," which the Senate have adopted and respectfully asking the concurrence of the House therein.

A message transmitting to the House " A joint resolution relative to the returning of books to the state library by members and officers of the legislature."

Also, a " Joint resolution relative to a claim of Solomon Southland."

Also, a " Joint resolution relative to settlement with bank of Gibraltar," which the Senate have adopted and respectfully ask the concurrence of the House therein.

Also, returning the " Joint resolution relative to running cars on central rail road the 1st day of the week," and informing the House that the Senate have concurred therein.

Also, to return the " Bill to amend an act entitled an act to incorporate the village of St. Joseph," and to respectfully inform the House that the Senate have receded from their amendment thereto.

And the House concurred in the " Joint resolution relative to adjournment of the legislature."

In the "Joint resolution relative to the returning of books," &c.

In the "Joint resolution relative to a settlement with the bank of Gibraltar."

And in the "Joint resolution relative to a claim of Solomon South-erland," with an amendment which was transmitted to the Senate.

Mr. Gunning, from the committee of conference in relation to primary schools, made a report, in which the House non-concurred.

The following messages were announced from the Senate :

A message returning to the House the following entitled bills, which the Senate have passed : "A bill in relation to certain state salt springs and the lands granted for the use of the same ;" also, "A bill to provide for the adjustment of the five million loan ;" also, "A bill to reduce the rate of taxation on real and personal property ;" also, returning a "Joint resolution repealing joint resolution relative to Detroit young men's society," &c., and respectfully informing the House that the Senate have concurred therein.

Also, a message returning to the House "A bill to provide for auditing and settling the claim of Messrs. Dawson & Bates," and informing the House that the Senate have passed the same with an amendment, in which they respectfully ask the concurrence of the House ; also, transmitting a "Joint resolution relative to printing assessment and collection laws," which the Senate have adopted and respectfully asking the concurrence of the House therein.

And whilst the same were under consideration, the House adjourned until to-morrow morning, nine o'clock.

Wednesday, February 16, 1842.

The House met pursuant to adjournment.

The reading of the journal was dispensed with.

PETITIONS.

By Mr. Littlejohn. Of 25 inhabitants of the county of Allegan, for the organization of a township. Laid on the table.

REPORTS.

Mr. King, from the committee on enrolment, reported as correctly enrolled "An act to correct the plat of the village of Sherman, and the addition thereto, in the county of St. Joseph, and to confirm deeds

and mortgages of lots within the same;" "An act to repeal the charters of certain banks, and for other purposes;" "An act to amend an act entitled 'an act to incorporate the village of St. Joseph;'" "An act to reduce the rate of taxation on real and personal property;" a "Joint resolution repealing a joint resolution relative to the Detroit young men's society," &c.; and a "Joint resolution relative to running cars on the central rail road on the first day of the week;" and also "An act in relation to the salt springs and the lands granted for the use of the same."

Mr. King, from the committee on enrolment, reported as correctly enrolled "An act to annul the corporate rights of certain banks, and for other purposes;" and a "Joint resolution relative to reporter of supreme court and court of chancery."

Mr. Videto, from the committee on roads and bridges, made two several reports, which were referred to the committee of the whole.

Mr. Crary, from the committee on federal relations, reported a "Bill to make partition of certain lands," owned by the state in common with Junius H. Hatch, which bill was taken up, the rule being suspended, and passed.

Mr. Dort made a report, which was laid upon the table.

Mr. Howell made a report, which was referred to the committee of the whole, and made the order of the day.

Mr. Cooper made a report, which was referred to the committee of the whole.

Mr. Crary, from the committee on federal relations, to whom was referred the joint resolution from the Senate, relative to furnishing the states with certain documents, reported the same back with amendments, which were concurred in, and the resolution, as amended, was adopted.

Mr. Stuart, from the committee on the judiciary, reported back the following Senate bills, which were referred to the committee of the whole :

"A bill to amend title seven of part second, chapter two, section six of the revised statutes, entitled 'of divorce.'"

"A bill for the protection of religious meetings."

"A bill amendatory of the statutes, relating to partition of real estate."

The House resolved itself into committee of the whole on the "Bill to abolish fees in criminal cases before justices of the peace, and for other purposes," and the "Bill to provide for the election of three trustees."

After some time spent thereon, the committee rose and reported the same back with a substitute for the first mentioned bill, which was amended, on motion of Mr. Littlejohn, to read "in all cases of misdemeanor," and passed by yeas and nays as follows :

YEAS.

Mr. Annable,	Mr. Crary,	Mr. Norvell,
Mr. Arnold,	Mr. Goodwin,	Mr. Stuart,
Mr. Axford,	Mr. Hanscom,	Mr. Turner,
Mr. Babcock,	Mr. Humphrey,	Mr. Videto,
Mr. Ball,	Mr. Little,	Mr. Wendell,
Mr. Berry,	Mr. Littlejohn,	Mr. Wilson,
Mr. Blair,	Mr. Lothrop,	Mr. Woodbury,
Mr. Bush,	Mr. Mickle,	Mr. Speaker,
Mr. Chipman,		

25

NAYS.

Mr. Anderson,	Mr. Hathaway,	Mr. Sanborn,
Mr. Bennett,	Mr. Hawley,	Mr. Scott,
Mr. Cooper,	Mr. Hewitt,	Mr. Sheldon,
Mr. Dexter,	Mr. Howell,	Mr. Smith,
Mr. Dort,	Mr. Lamb,	Mr. Walker,
Mr. French,	Mr. Magoon,	Mr. White,
Mr. Gunning,	Mr. Rice,	Mr. Wing,

21

The "Bill to provide for the election of three trustees," being under consideration, and the question being on concurring with the report of the committee to "strike out," &c., the same was concurred in by the following vote :

YEAS.

Mr. Annable,	Mr. Hathaway,	Mr. Norvell,
Mr. Arnold,	Mr. Hawley,	Mr. Rice,
Mr. Axford,	Mr. Hewitt,	Mr. Sanborn,
Mr. Babcock,	Mr. Howell,	Mr. Sheldon,
Mr. Bush,	Mr. King,	Mr. Smith,
Mr. Dort,	Mr. Lewis,	Mr. Videto,
Mr. Fessenden,	Mr. Little,	Mr. Walker,
Mr. French,	Mr. Livermore,	Mr. Wendell,
Mr. Goodwin,	Mr. Magoon,	Mr. White,
Mr. Gunning,	Mr. Mickle,	Mr. Woodbury,

30

NAYS.

Mr. Anderson,	Mr. Dexter,	Mr. Lothrop,
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Mr. Ball,	Mr. Hanscom,	Mr. Stuart,	
Mr. Bennett,	Mr. Humphrey,	Mr. Wilson,	
Mr. Chipman,	Mr. Lamb,	Mr. Wing,	
Mr. Crary,	Mr. Littlejohn,	Mr. Speaker,	15

Mr. Bush moved to amend the same, by inserting after the enacting clause :

That the supervisor, township clerk and the oldest justice of the peace, according to their classification, shall be the inspectors of election, and shall do and perform all the duties required by law to be done by said board.

Sec. 2. The sheriff of the county shall give notice to the township clerk of all general elections, instead of one of the inspectors of election, and the said township clerk shall give notice of the time and place of holding such election, in the same manner as heretofore required by law to be done by the inspectors of election.

Sec. 3. All acts and parts of acts contravening the provisions of this act, be, and the same are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its passage.

On motion of Mr. Norvell, the same was laid upon the table.

A verbal message was received from the Senate, by their Secretary, S. Yorke At Lee, informing the House that the Senate have elected as their President, William L. Greenly.

On motion of Mr. Norvell, the House resolved itself into committee of the whole on the general order ; Mr. Lothrop in the chair.

After sometime spent thereon, the committee rose and reported back the following entitled bills :

"A bill to amend an act entitled 'an act to incorporate the village of Pontiac,'" without amendment.

"A bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo," without amendment.

"A bill to amend an act entitled 'an act to organize courts of special sessions,' approved March 19, 1841," without amendment.

"A bill to exempt from taxation lands used by the state of Michigan, for the purposes of railroads or canals," without amendment.

Senate "Bill in relation to auditor general's warrants on internal improvement fund," with an amendment.

"A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes," without amendment.

"A bill for the relief of George Campau," without amendment.

"A bill to amend the charter of the city of Monroe," without amendment.

"A bill to provide for laying out a state road from Corunna, in the county of Shiawassee, to a place called Indian village, in the county of Saginaw," without amendment.

"A bill in relation to the university and primary school fund, and for other purposes," amended by striking out all after the enacting clause.

And asked the concurrence of the House, and leave to sit again on the general order, which was granted.

On motion of Mr. Videto, the House adjourned until two o'clock.

Afternoon Session.

Mr. French, from the committee on agriculture and manufactures, to whom was referred a resolution of the House of Representatives, directing said committee to inquire into the propriety of raising the bounty on wolves, reported that they had duly considered the same, and that in their opinion, no action of this body is necessary at this time.

And the said report was adopted.

Mr. Lothrop, from the committee on taxation, reported back without amendment, the following entitled bills, which were referred to the committee of the whole :

"A bill to amend chapters two and three, title two, part one of the revised statutes, relative to elections."

"A bill to amend the revised statutes in relation to highway taxes, and for other purposes."

The following message was received from the Senate, by their messenger, H. S. Roberts :

Returning the bill to provide for auditing and settling the claim of Messrs. Dawson and Bates, and informing the House that the Senate have appointed Senators Bell, Hewitt and Gidley, a committee of conference thereon.

And the House appointed Messrs. Fessenden, Chipman and Little, the committee on the part of the House.

Also, a message transmitting to the House "A bill authorizing the collection of delinquent taxes in the city of Detroit, and for other purposes," and to inform the House that the Senate have passed the same and respectfully ask the concurrence of the House therein.

And the Senate "Bill authorizing the collection of delinquent taxes, and for other purposes," was concurred in.

Mr. Hanscom, from the committee on the judiciary, reported the following joint resolution, relative to the duties of registers in chancery and clerks of the supreme court, which was adopted :

Resolved by the Senate and House of Representatives of the State of Michigan, That the clerk of the supreme court of this state in the fourth circuit shall be and he is hereby constituted ex-officio register in chancery, and he is hereby authorized and required to perform all and singular the duties now prescribed to be performed by said register in chancery.

The following message from the Senate, by their messenger, Horace S. Roberts, was announced :

A message returning to the House "A bill to amend an act entitled 'an act to provide for the laying out of certain state roads, and for other purposes,' approved April 13, 1841," and informing the House that the Senate have passed the same with certain amendments, in which they respectfully ask the concurrence of the House.

A message returning to the House "A bill to organize certain townships, and for other purposes," and informing the House that the Senate have passed the same with certain amendments, in which the concurrence of the House is respectfully asked.

A message transmitting to the House "A joint resolution relative to independent and uniformed military companies," which the Senate have adopted and respectfully asking the concurrence of the House therein.

Mr. Livermore submitted the following joint resolution, which was adopted :

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of commissioners of internal improvement be authorized and empowered to lease the Clinton and Kalama-

zoo canal to any person or persons, at their discretion, for a term not exceeding twenty years, provided that said lease may be terminated at any time, if the state shall require the same for the purposes of canal navigation, granting him or them the privilege of using water from the same for hydraulic purposes or water power at such points as they may deem advisable, and which shall not be to the damage of the work or detriment to the navigation of said canal : The conditions of such lease shall be that the person or persons entering into such contract with said board of commissioners, shall within years construct at the present western termination a sufficient feeder to let Paint creek into said canal, and at its eastern termination a safe and sufficient apron to let the water out of the same, without damaging the work, and shall at such point as said board may deem necessary for the safety of the work construct waste-weirs. The board of commissioners shall require any person or persons with whom they contract as above, good and sufficient security for the faithful performance of the same.

Mr. King, from the committee on enrolment, reported as correctly enrolled "An act to provide for the adjustment of the five million loan;" "An act to modify and alter the second and eighth sections of part first, title five, chapter six of the revised statutes," and "An act to incorporate the Baptist convention of the state of Michigan."

The Senate "Bill in relation to auditor general's warrants on the internal improvement fund," being under consideration,

Mr. Bush moved the indefinite postponement of the bill, which was lost by yeas and nays, as follows :

YEAS.

Mr. Arnold,	Mr. Gunning,	Mr. Sanborn,	
Mr. Axford,	Mr. Hanscom,	Mr. Scott,	
Mr. Babcock,	Mr. Hathaway,	Mr. Smith,	
Mr. Bush,	Mr. Hewitt,	Mr. Turner,	
Mr. Cooper,	Mr. Humphrey,	Mr. Videto,	
Mr. Fessenden,	Mr. Lamb,	Mr. Wendell,	
Mr. French,	Mr. Livermore,	Mr. Speaker,	21

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Rice,
Mr. Annable,	Mr. Goodwin,	Mr. Sheldon,
Mr. Ball,	Mr. Howell,	Mr. Stuart,
Mr. Bennett,	Mr. Lewis,	Mr. Walker,

Mr. Berry,	Mr. Littlejohn,	Mr. White,	
Mr. Blair,	Mr. Mickle,	Mr. Wilson,	
Mr. Crary,	Mr. Norvell,	Mr. Woodbury,	
Mr. Dexter,			22

The question being taken on concurring with the committee of the whole, the House concurred.

The bill was then passed by the following vote :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,	
Mr. Annable,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Ball,	Mr. Lewis,	Mr. Stuart,	
Mr. Bennett,	Mr. Littlejohn,	Mr. Walker,	
Mr. Berry,	Mr. Lothrop,	Mr. White,	
Mr. Blair,	Mr. Mickle,	Mr. Wilson,	
Mr. Crary,	Mr. Norvell,	Mr. Wing,	
Mr. Dexter,	Mr. Rice,	Mr. Woodbury,	
Mr. Goodwin,			25

NAYS.

Mr. Arnold,	Mr. Gunning,	Mr. Scott,	
Mr. Axford,	Mr. Hanscom,	Mr. Smith,	
Mr. Babcock,	Mr. Hathaway,	Mr. Turner,	
Mr. Bush,	Mr. Hewitt,	Mr. Videto,	
Mr. Cooper,	Mr. Lamb,	Mr. Wendell,	
Mr. Fessenden,	Mr. Livermore,	Mr. Speaker,	
Mr. French,			19

The Senate "Joint resolution relative to independent and uniformed military companies," being under consideration, the same was non-concurred in.

Mr. Lothrop asked and obtained leave to withdraw the enrolled "Bill to modify and alter the second and eighth sections of part first, title fifth, chapter sixth of the revised statutes," from the bills for approval, and that the House reconsider the amendments of the Senate thereto.

The House reconsidered and non-concurred in said amendments, and appointed Messrs. Lothrop, Ball and Rice, as a committee of conference.

The following bills were then taken up by the House and passed :

BILLS PASSED.

"A bill to provide for laying out a certain state road from Corunna, in the county of Shiawassee, to a place called Indian village, in the county of Saginaw."

"A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes."

"A bill to amend the charter of the city of Monroe."

"A bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo."

"A bill to exempt from taxation lands used by the state of Michigan, for the purposes of railroads and canals."

"A bill to amend an act entitled 'an act to organize courts of special sessions,' approved March 19, 1840."

"A bill for the relief of George Campau."

The bill to amend the act entitled "An act to incorporate the village of Pontiac," being under consideration, it was, on motion of Mr. Howell, referred to the committee on banks and incorporations.

Mr. Hanscom, from the committee on revision, reported back to the House as correct, the following bills:

"A bill to provide for laying out a certain state road from Corunna, in the county of Shiawassee, to a place called Indian village, in the county of Saginaw."

Also, "A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes."

Also, "A bill to amend the charter of the city of Monroe."

Also, "A bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo."

Also, "A bill to exempt from taxation lands used by the state of Michigan, for the purposes of railroads and canals."

Also, "A bill to amend an act entitled 'an act to organize courts of special sessions,' approved March 19, 1840."

Also, "A bill for the relief of George Campau."

Mr. Howell moved that the committee of the whole be discharged from the consideration of the bill for the completion of the Southern railroad, and for other purposes, and that the same be taken up in the House; which motion was lost.

COMMITTEE OF THE WHOLE.

On motion of Mr. Stuart, the House resolved itself into committee of the whole on the general order; Mr. Lothrop in the chair.

After going through the following entitled bills, the committee

rose and reported the same back to the House and asked their concurrence therein :

"A bill to amend an act for the regulation of internal improvements, approved March 25, 1840, and to provide for the settlement of claims," with amendments.

Senate "Bill relative to free schools in the city of Detroit," without amendment.

"A bill to provide for the connection of the Palmyra and Jacksonburgh railroad with the state Southern railroad," without amendment.

Senate "Bill to amend the revised statutes, concerning the powers and duties of probate courts," without amendment.

"A bill to amend an act entitled 'an act to incorporate the village of Niles,' and the act and acts amendatory thereto," without amendment.

"A bill to provide for laying out and establishing certain state roads therein named," without amendment.

"A bill to lay out and establish a certain state road, without amendment.

"A bill to complete the Southern railroad, and for other purposes," without amendment.

Senate "Bill to extend the right of trial by jury."

"A bill to modify the revised statutes relative to medical societies and the regulations concerning the practice of physic and surgery," without amendment.

"An act to incorporate the village of Jackson," without amendment.

"A bill to amend the Justices' act," without amendment.

"A bill to repeal a part of chapter eight, title five, part first of the revised statutes and for other purposes," without amendment.

"A bill to provide for future elections of members of congress of this state," with amendments.

"A bill for the relief of Stanton Taft and Jacob Beeson," with an amendment.

"A bill to incorporate the Detroit and St. Joseph railroad company," without amendment.

"A bill to provide for the transfer of real estate on execution, and for other purposes," without amendment.

And the House concurring therein and granting the committee leave to sit again, took a recess until half-past six o'clock.

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Evening Session.

The "Bill to provide for the connection of the Palmyra and Jackson railroad," being called up,

Mr. Bush moved to amend the same as follows :

"*Provided*, The company shall first pay the state the interest due upon the twenty thousand dollars loan."

And the question being taken by yeas and nays, the motion was lost as follows :

YEAS.

Mr. Arnold,	Mr. Cooper,	Mr. Lothrop,	
Mr. Axford,	Mr. Dort,	Mr. Scott,	
Mr. Babcock,	Mr. French,	Mr. Videto,	
Mr. Bennett,	Mr. Gunning,	Mr. Walker,	
Mr. Bush,	Mr. Hanscom,	Mr. White,	
Mr. Chipman,	Mr. Lamb,	Mr. Speaker,	18

NAYS.

Mr. Anderson,	Mr. Hewitt,	Mr. Rice,	
Mr. Ball,	Mr. Howell,	Mr. Sanborn,	
Mr. Berry,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Blair,	Mr. King,	Mr. Stuart,	
Mr. Crary,	Mr. Lewis,	Mr. Smith,	
Mr. Dexter,	Mr. Littlejohn,	Mr. Turner,	
Mr. Fessenden,	Mr. Livermore,	Mr. Wilson,	
Mr. Goodwin,	Mr. Mickle,	Mr. Wing,	
Mr. Hawley,	Mr. Norvell,	Mr. Woodbury,	27

Mr. Bush then offered as an amendment :

"*Provided*, The company shall pay the freight which now remains due in advance on said iron," which amendment was lost.

Mr. Stuart offered an amendment to come in as the seventh section, which was adopted, and the bill passed by the following vote :

YEAS.

Mr. Ball,	Mr. Lewis,	Mr. Sheldon,
Mr. Berry,	Mr. Littlejohn,	Mr. Stuart,
Mr. Blair,	Mr. Livermore,	Mr. Smith,
Mr. Crary,	Mr. Lothrop,	Mr. Videto,
Mr. Hanscom,	Mr. Mickle,	Mr. White,
Mr. Hawley,	Mr. Norvell,	Mr. Wilson,

Mr. Hewitt,	Mr. Rice,	Mr. Wing,	
Mr. Howell,	Mr. Sanborn,	Mr. Woodbury,	
Mr. Humphrey,			25

NAYS.

Mr. Arnold,	Mr. Cooper,	Mr. Lamb,	
Mr. Axford,	Mr. Dexter,	Mr. Scott,	
Mr. Babcock,	Mr. Dort,	Mr. Turner,	
Mr. Bennett,	Mr. French,	Mr. Walker,	
Mr. Bush,	Mr. Goodwin,	Mr. Wendell,	
Mr. Chipman,	Mr. Gunning,	Mr. Speaker,	18

The "Bill to complete the Southern railroad being under consideration,

Mr. Lothrop offered the following amendment :

"Sec. That the board of internal improvement be directed to lay out and expend the nett proceeds of the Central railroad in the construction of said road between the villages of Jackson and Marshall."

And the yeas and nays being called for the vote stood as follows :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Lothrop,	
Mr. Annable,	Mr. Gunning,	Mr. Magoon,	
Mr. Ball,	Mr. Hanscom,	Mr. Norvell,	
Mr. Bennett,	Mr. Hawley,	Mr. Scott,	
Mr. Bush,	Mr. King,	Mr. Stuart,	
Mr. Chipman,	Mr. Lewis,	Mr. Turner,	
Mr. Crary,	Mr. Littlejohn,	Mr. Wendell,	
Mr. French,	Mr. Livermore,	Mr. Woodbury,	24

NAYS.

Mr. Arnold,	Mr. Fessenden,	Mr. Smith,	
Mr. Axford,	Mr. Hewitt,	Mr. Videto,	
Mr. Babcock,	Mr. Howell,	Mr. Walker,	
Mr. Berry,	Mr. Humphrey,	Mr. White,	
Mr. Blair,	Mr. Mickle,	Mr. Wilson,	
Mr. Cooper,	Mr. Rice,	Mr. Wing,	
Mr. Dexter,	Mr. Sanborn,	Mr. Speaker,	
Mr. Dort,	Mr. Sheldon,		23

Mr. Woodbury moved to reconsider the vote, which was lost as follows :

YEAS.

Mr. Arnold,	Mr. Howell,	Mr. Walker,
Mr. Ball,	Mr. Humphrey,	Mr. White,
Mr. Berry,	Mr. Mickle,	Mr. Wilson,
Mr. Blair,	Mr. Rice,	Mr. Wing,

Mr. Cooper,
Mr. Dort,

Mr. Sanborn,
Mr. Sheldon,

Mr. Woodbury,
Mr. Speaker, 18

NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Axford,
Mr. Babcock,
Mr. Bennett,
Mr. Bush,
Mr. Chipman,
Mr. Crary,
Mr. Dexter,
Mr. Fessenden,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hanscom,
Mr. Hawley,
Mr. Hewitt,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,

Mr. Lothrop,
Mr. Magoon,
Mr. Norvell,
Mr. Scott,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Wendell, 29

The question being now taken on the passage of the bill, the same was lost :

YEAS.

Mr. Annable,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Blair,
Mr. Crary,
Mr. French,
Mr. Goodwin,

Mr. Hawley,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Little,
Mr. Littlejohn,

Mr. Lothrop,
Mr. Mickle,
Mr. Norvell,
Mr. Stuart,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury, 22

NAYS.

Mr. Anderson,
Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Dexter,
Mr. Dort,

Mr. Fessenden,
Mr. Gunning,
Mr. Hanscom,
Mr. Hewitt,
Mr. Lamb,
Mr. Magoon,
Mr. Rice,
Mr. Sanborn,

Mr. Scott,
Mr. Sheldon,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,
Mr. White,
Mr. Speaker, 25

Mr. Hanscom moved to reconsider the vote taken on the Palmyra and Jacksonburgh railroad bill, which was carried by yeas and nays, as follows :

YEAS.

Mr. Arnold,
Mr. Axford,
Mr. Babcock,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hanscom,
Mr. King,
Mr. Lamb,
Mr. Little,

Mr. Rice,
Mr. Sanborn,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,
Mr. Wendell,

Mr. Dexter,	Mr. Littlejohn,	Mr. White,	
Mr. Dort,	Mr. Livermore,	Mr. Speaker,	
Mr. Fessenden,	Mr. Magoon,		29

NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Scott,	
Mr. Annable,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Ball,	Mr. Lewis,	Mr. Stuart,	
Mr. Bennett,	Mr. Lothrop,	Mr. Wilson,	
Mr. Berry,	Mr. Mickle,	Mr. Wing,	
Mr. Blair,	Mr. Norvell,	Mr. Woodbury,	
Mr. Hewitt,			19

The question being on the final passage of the bill, it was lost, as follows :

YEAS.

Mr. Anderson,	Mr. Hewitt,	Mr. Mickle,	
Mr. Annable,	Mr. Howell,	Mr. Norvell,	
Mr. Ball,	Mr. Humphrey,	Mr. Sheldon,	
Mr. Bennett,	Mr. Lewis,	Mr. Stuart,	
Mr. Berry,	Mr. Little,	Mr. Wilson,	
Mr. Blair,	Mr. Littlejohn,	Mr. Wing,	
Mr. Crary,	Mr. Lothrop,	Mr. Woodbury,	
Mr. Fessenden,	Mr. Magoon,	Mr. Speaker,	24

NAYS.

Mr. Arnold,	Mr. Goodwin,	Mr. Sanborn,	
Mr. Axford,	Mr. Gunning,	Mr. Scott,	
Mr. Babcock,	Mr. Hanscom,	Mr. Smith,	
Mr. Bush,	Mr. Hawley,	Mr. Turner,	
Mr. Chipman,	Mr. King,	Mr. Videto,	
Mr. Cooper,	Mr. Lamb,	Mr. Walker,	
Mr. Dexter,	Mr. Livermore,	Mr. Wendell,	
Mr. Dort,	Mr. Rice,	Mr. White,	
Mr. French,			25

The bill relative to free schools in Detroit, being under consideration, Mr. Norvell moved to strike out the twelfth and thirteenth sections ; which motion was lost, and the bill read a third time and passed.

Mr. King, from the committee on enrolment, reported as correctly enrolled, " An act to amend an act entitled ' an act to provide for the laying out of certain state roads, and for other purposes,' approved April 13, 1841 ;" " An act to provide for the assessment of taxes ;" " An act to organize certain townships, and for other purposes ;" " An act to provide for laying out a certain state road ;" " A joint resolution relative to the duties of registers in chancery and clerks

of the supreme court ;" " An act to amend part first, title third, chapter third of the revised statutes, and for other purposes," and " An act to amend an act entitled ' an act to organize courts of special sessions,' approved March 19, 1840 ;" and also, " A bill to provide for auditing and settling the claims of Messrs. Dawson & Bates."

Mr. King, from the committee on enrolment, also, reported as correctly enrolled, " An act to exempt from taxation land used by the state of Michigan for the purposes of railroads and canals ;" " An act to amend an act to incorporate the city of Monroe ;" " A joint resolution leasing the Clinton and Kalamazoo canal," and " An act to make partition of certain lands."

The Senate bill to extend " the right of trial by jury," being under consideration,

Mr. Norvell moved to lay the same upon the table, which motion was lost, by yeas and nays, as follows :

YEAS.

Mr. Annable,	Mr. Crary,	Mr. Norvell,
Mr. Arnold,	Mr. Dort,	Mr. Sanborn,
Mr. Axford,	Mr. Goodwin,	Mr. Scott,
Mr. Bennett,	Mr. Hanscom,	Mr. Stuart,
Mr. Berry,	Mr. King,	Mr. Videto,
Mr. Bush,	Mr. Lewis,	Mr. Wendell,
Mr. Chipman,	Mr. Littlejohn,	Mr. Woodbury,

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NAYS.

Mr. Anderson,	Mr. Howell,	Mr. Sheldon,
Mr. Babcock,	Mr. Humphrey,	Mr. Smith,
Mr. Ball,	Mr. Lamb,	Mr. Turner,
Mr. Dexter,	Mr. Little,	Mr. Walker,
Mr. Fessenden,	Mr. Livermore,	Mr. White,
Mr. French,	Mr. Lothrop,	Mr. Wilson,
Mr. Gunning,	Mr. Magoon,	Mr. Wing,
Mr. Hawley,	Mr. Mickle,	Mr. Speaker,
Mr. Hewitt,	Mr. Rice,	

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Mr. Lothrop moved to amend the twelfth section by inserting at the close, " if he shall not sustain his claim."

On motion of Mr. Bush, the bill was laid upon the table by the following vote :

YEAS.

Mr. Annable,	Mr. Crary,	Mr. Scott,
Mr. Arnold,	Mr. Dort,	Mr. Stuart,
Mr. Axford,	Mr. Goodwin,	Mr. Videto,

Mr. Ball,	Mr. King,	Mr. Wendell,	
Mr. Bennett,	Mr. Lewis,	Mr. Wilson,	
Mr. Bush,	Mr. Littlejohn,	Mr. Wing,	
Mr. Chipman,	Mr. Norvell,	Mr. Woodbury,	
Mr. Cooper,	Mr. Sanborn,	Mr. Speaker,	24

NAYS.

Mr. Anderson,	Mr. Humphrey,	Mr. Rice,	
Mr. Dexter,	Mr. Lamb,	Mr. Sheldon,	
Mr. Fessenden,	Mr. Little,	Mr. Smith,	
Mr. French,	Mr. Livermore,	Mr. Turner,	
Mr. Gunning,	Mr. Magoon,	Mr. Walker,	
Mr. Hanscom,	Mr. Mickle,	Mr. White,	18

Mr. Norvell moved that the House now go into committee of the whole on the appropriation bill, which was lost.

The bill in relation to the "Detroit and St. Joseph railroad company," was laid upon the table.

The "Bill to provide for the transfer of real estate on execution, and for other purposes," being called up,

Mr. Hanscom proposed to strike out all after the enacting clause, and to insert as follows :

"The act entitled 'an act relative to the sale of real and personal estate on execution,' approved March 27, 1841, and the act entitled 'an act relative to the sale of real and personal estate on execution,' approved April 13, 1841, are hereby repealed."

The motion of Mr. Hanscom being lost,

On motion of Mr. Howell, the words "two-thirds its appraised value," was ordered to be inserted wherever it should be applicable in lieu of full valuation.

Mr. Fessenden offered the following amendment to section six :—insert after the word "mortgage," in the third line, "or for the purchase money of the premises."

Mr. Speaker moved the indefinite postponement of the bill, which was lost by yeas and nays :

YEAS.

Mr. Anderson,	Mr. Hawley,	Mr. Sheldon,	
Mr. Arnold,	Mr. Hewitt,	Mr. Turner,	
Mr. Ball,	Mr. Lewis,	Mr. Walker,	
Mr. Cooper,	Mr. Lothrop,	Mr. White,	
Mr. French,	Mr. Magoon,	Mr. Woodbury,	
Mr. Gunning,	Mr. Rice,	Mr. Speaker,	18

NAYS.

Mr. Annable,	Mr. Fessenden,	Mr. Mickle,
Mr. Axford,	Mr. Goodwin,	Mr. Norvell,
Mr. Babcock,	Mr. Hanscom,	Mr. Sanborn,
Mr. Bennett,	Mr. Howell,	Mr. Scott,
Mr. Berry,	Mr. Humphrey,	Mr. Stuart,
Mr. Blair,	Mr. King,	Mr. Smith,
Mr. Bush,	Mr. Lamb,	Mr. Videto,
Mr. Crary,	Mr. Littlejohn,	Mr. Wendell,
Mr. Dexter,	Mr. Livermore,	Mr. Wing,
Mr. Dort,		

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The question was then taken on Mr. Fessenden's amendment, and the same was lost.

Mr. Norvell offered an amendment to the seventh section, which was lost.

Mr. Goodwin moved a reconsideration of the vote in relation to the striking out "two-thirds," which was lost as follows :

YEAS.

Mr. Blair,	Mr. Lamb,	Mr. Videto,
Mr. Crary,	Mr. Little,	Mr. Wilson,
Mr. Dort,	Mr. Littlejohn,	Mr. Wing,
Mr. Goodwin,	Mr. Norvell,	Mr. Speaker,
Mr. Humphrey,		

19

NAYS.

Mr. Anderson,	Mr. Fessenden,	Mr. Rice,
Mr. Annable,	Mr. French,	Mr. Sanborn,
Mr. Arnold,	Mr. Gunning,	Mr. Scott,
Mr. Axford,	Mr. Hanscom,	Mr. Sheldon,
Mr. Babcock,	Mr. Hawley,	Mr. Stuart,
Mr. Ball,	Mr. Hewitt,	Mr. Smith,
Mr. Bennett,	Mr. Howell,	Mr. Turner,
Mr. Berry,	Mr. Lewis,	Mr. Walker,
Mr. Bush,	Mr. Livermore,	Mr. Wendell,
Mr. Chipman,	Mr. Lothrop,	Mr. White,
Mr. Cooper,	Mr. Magoon,	Mr. Woodbury,
Mr. Dexter,	Mr. Mickle,	

35

Mr. Gunning moved to strike out "six" in the third line, and insert "twelve," which motion was lost.

Mr. Lothrop moved the postponement of the further consideration of the bill until the fourth day of July next.

Mr. Goodwin raised a question whether a day beyond the session could be named.

The Chair (Mr. Fessenden) decided that the motion was in order.

Mr. Goodwin appealed from the decision.

The House sustained the Chair.

Mr. Chipman offered an amendment to come in as section nine, which was adopted.

The bill was then passed by the following vote :

YEAS.

Mr. Anderson,	Mr. Crary,	Mr. Norvell,
Mr. Annable,	Mr. Dexter,	Mr. Sanborn,
Mr. Axford,	Mr. Dort,	Mr. Scott, .
Mr. Babcock,	Mr. Fessenden,	Mr. Stuart,
Mr. Bennett,	Mr. Goodwin,	Mr. Turner,
Mr. Berry,	Mr. Howell,	Mr. Videto,
Mr. Blair,	Mr. Littlejohn,	Mr. Walker,
Mr. Bush,	Mr. Mickle,	Mr. Wing,
Mr. Chipman,		

25

NAYS.

Mr. Arnold,	Mr. Humphrey,	Mr. Rice,
Mr. Ball,	Mr. King,	Mr. Sheldon,
Mr. Cooper,	Mr. Lamb,	Mr. Smith,
Mr. French,	Mr. Lewis,	Mr. Wendell,
Mr. Gunning,	Mr. Little,	Mr. White,
Mr. Hanscom,	Mr. Livermore,	Mr. Woodbury,
Mr. Hawley,	Mr. Lothrop,	Mr. Speaker,
Mr. Hewitt,	Mr. Magoon,	

23

The Senate "Bill to provide for future elections of members of congress in this state," was taken up and passed.

A motion being made to indefinitely postpone the "Bill relative to the practice of physic and surgery," the same was lost by yeas and nays :

YEAS.

Mr. Bennett,	Mr. Hanscom,	Mr. Sanborn,
Mr. Bush,	Mr. Hathaway,	Mr. Stuart,
Mr. Cooper,	Mr. King,	Mr. Smith,
Mr. Crary,	Mr. Lewis,	Mr. Turner,
Mr. Fessenden,	Mr. Littlejohn,	Mr. Videto,
Mr. Goodwin,	Mr. Livermore,	Mr. Wendell,
Mr. Gunning,	Mr. Norvell,	Mr. Wing,

21

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Rice,
Mr. Annable,	Mr. French,	Mr. Scott,
Mr. Axford,	Mr. Hawley,	Mr. Sheldon,
Mr. Babcock,	Mr. Hewitt,	Mr. Walker,

"An act to organize certain townships, and for other purposes."

"An act to provide for the assessment of taxes."

"An act to provide for auditing and settling the claims of Messrs. Dawson & Bates."

"An act to amend part first, title third, chapter third of the revised statutes, and for other purposes."

"Joint resolution relative to leasing the Clinton and Kalamazoo canal."

"Joint resolution relative to the duties of registers in chancery, and clerks of the supreme court."

"An act to exempt from taxation land used by the state of Michigan for the purposes of rail roads and canals."

"An act to amend an act entitled 'an act to organize courts of special session,' approved March 19, 1840."

"An act to provide for laying out a certain state road."

"An act to amend an act to incorporate the city of Monroe."

"An act to repeal the charter of the Detroit and Pontiac turnpike company."

JOHN S. BARRY.

Executive Office, February 16, 1842.

Mr. Norvell moved to go into committee of the whole on the appropriation bill, which motion was lost.

Mr. Stuart offered a joint resolution postponing the adjournment of the legislature until four o'clock, P. M., of to-morrow.

Mr. Norvell calling for the yeas and nays, the resolution was adopted as follows :

YEAS.

Mr. Annable,
Mr. Arnold,
Mr. Ball,
Mr. Bennett,
Mr. Berry,
Mr. Bush,
Mr. Chipman,
Mr. Cooper,
Mr. Crary,
Mr. Dexter,

Mr. Dort,
Mr. Hanscom,
Mr. Howell,
Mr. Humphrey,
Mr. King,
Mr. Lewis,
Mr. Littlejohn,
Mr. Livermore,
Mr. Lothrop,

Mr. Sanborn,
Mr. Stuart,
Mr. Smith,
Mr. Walker,
Mr. Wendell,
Mr. Wilson,
Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

NAYS.

Mr. Anderson,
Mr. Axford,

Mr. Hathaway,
Mr. Hawley,

Mr. Norvell,
Mr. Rice,

Mr. Babcock,	Mr. Hewitt,	Mr. Scott,	
Mr. Fessenden,	Mr. Lamb,	Mr. Sheldon,	
Mr. French,	Mr. Little,	Mr. Turner,	
Mr. Goodwin,	Mr. Magoon,	Mr. Videto,	
Mr. Gunning,	Mr. Mickle,	Mr. White,	21

The "Bill for the relief of Stanton Taft and Jacob Beeson," was read a third time and passed.

The "Bill to amend the justices' act," being under consideration,

On motion of Mr. Bush, the word "thirty" was stricken out, and the word "twenty" inserted, and the bill passed.

Mr. Norvell moved to go into committee of the whole on the appropriation bill, which motion was lost.

The following messages were announced from the Senate, by their messenger, H. S. Roberts :

A message returning to the House "A bill to incorporate the Baptist convention of the state of Michigan," and informing the House that the Senate have concurred therein and duly passed the same.

A message returning to the House "A joint resolution in relation to the adjustment of the five million loan," and to inform the House that the Senate have concurred therein.

And the said bill and joint resolution were ordered to be enrolled.

The "Bill to amend an act entitled 'An act to amend an act entitled an act to incorporate the village of Niles, and the act or acts amendatory thereto,'" was taken up and passed by yeas and nays as follows :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,	
Mr. Ball,	Mr. Hawley,	Mr. Sanborn,	
Mr. Bennett,	Mr. Hewitt,	Mr. Turner,	
Mr. Berry,	Mr. Howell,	Mr. Videto,	
Mr. Blair,	Mr. Lewis,	Mr. Walker,	
Mr. Bush,	Mr. Littlejohn,	Mr. White,	
Mr. Chipman,	Mr. Livermore,	Mr. Wilson,	
Mr. Dexter,	Mr. Lothrop,	Mr. Wing,	
Mr. Fessenden,	Mr. Magoon,	Mr. Woodbury,	
Mr. French,	Mr. Norvell,		29

NAYS.

Mr. Babcock,	Mr. Mickle,	Mr. Wendell,
Mr. Cooper,	Mr. Scott,	Mr. Speaker,
Mr. Humphrey,		

A motion to go into committee of the whole on the general order, was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Sanborn,
Mr. Babcock,	Mr. Humphrey,	Mr. Wendell,
Mr. Ball,	Mr. Lewis,	Mr. Wilson,
Mr. Bennett,	Mr. Littlejohn,	Mr. Wing,
Mr. Fessenden,	Mr. Lothrop,	Mr. Woodbury,
Mr. Goodwin,	Mr. Mickle,	

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NAYS.

Mr. Berry,	Mr. Hathaway,	Mr. Scott,
Mr. Blair,	Mr. Hawley,	Mr. Sheldon,
Mr. Chipman,	Mr. Hewitt,	Mr. Smith,
Mr. Cooper,	Mr. Lamb,	Mr. Turner,
Mr. Dexter,	Mr. Livermore,	Mr. Videto,
Mr. French,	Mr. Magoon,	Mr. White,
Mr. Gunning,	Mr. Norvell,	Mr. Speaker,
Mr. Hanscom,	Mr. Rice,	

23

On motion of Mr. Lamb,

A call of the House was ordered, and Messrs. Axford, Bush, King, Little and Stuart, were absent.

On motion of Mr. Norvell, further proceedings on the call were dispensed with.

Mr. Norvell moved to go into committee of the whole on the appropriation bill.

Mr. Lamb called for the yeas and nays :

YEAS.

Mr. Anderson,	Mr. Hathaway,	Mr. Sanborn,
Mr. Arnold,	Mr. Hawley,	Mr. Scott,
Mr. Axford,	Mr. Hewitt,	Mr. Sheldon,
Mr. Cooper,	Mr. Lamb,	Mr. Smith,
Mr. Dexter,	Mr. Livermore,	Mr. Turner,
Mr. Dort,	Mr. Magoon,	Mr. White,
Mr. French,	Mr. Norvell,	Mr. Speaker,
Mr. Gunning,	Mr. Rice,	

23

NAYS.

Mr. Annable,	Mr. Goodwin,	Mr. Mickle,
Mr. Babcock,	Mr. Hanscom,	Mr. Stuart,
Mr. Ball,	Mr. Howell,	Mr. Videto,
Mr. Bennett,	Mr. Humphrey,	Mr. Walker,
Mr. Berry,	Mr. King,	Mr. Wendell,
Mr. Blair,	Mr. Lewis,	Mr. Wilson,
Mr. Chipman,	Mr. Littlejohn,	Mr. Wing,

Mr. Crary, Mr. Lothrop, Mr. Woodbury,
Mr. Fessenden, 25

The following message from the Senate was announced, by their messenger, H. S. Roberts :

A message returning to the House "A joint resolution relative to the adjournment of the legislature," and to inform the House that the Senate have concurred therein.

Mr. Wing moved to go into committee of the whole on the appropriation bill, which was lost by the following vote :

YEAS.

Mr. Anderson,	Mr. French,	Mr. Smith,
Mr. Babcock,	Mr. Gunning,	Mr. Turner,
Mr. Ball,	Mr. Hathaway,	Mr. Videto,
Mr. Berry,	Mr. Hewitt,	Mr. Wendell,
Mr. Blair,	Mr. Lothrop,	Mr. White,
Mr. Chipman,	Mr. Mickle,	Mr. Wing,
Mr. Crary,	Mr. Norvell,	Mr. Speaker,
Mr. Fessenden,	Mr. Stuart,	

23

NAYS.

Mr. Annable,	Mr. Hawley,	Mr. Magoon,
Mr. Arnold,	Mr. Howell,	Mr. Rice,
Mr. Axford,	Mr. Humphrey,	Mr. Sanborn,
Mr. Bennett,	Mr. King,	Mr. Sheldon,
Mr. Cooper,	Mr. Lamb,	Mr. Walker,
Mr. Dexter,	Mr. Lewis,	Mr. Wilson,
Mr. Dort,	Mr. Littlejohn,	Mr. Woodbury,
Mr. Goodwin,	Mr. Livermore,	

23

Mr. Wing moved to take from the table the "Bill for the removal of the seat of government," which motion was lost.

On motion of Mr. Crary,

The House resolved itself into committee of the whole on the appropriation bill, Mr. Lothrop in the chair.

After some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

Leave of absence was now granted to Messrs. Magoon, Hanscom, Bush and Hathaway.

And the House adjourned until to-morrow morning, at nine o'clock.

Thursday, February 17, 1842.

The members present except Messrs. Magoon, Bush and Hathaway.

The reading of the journal of yesterday dispensed with.

The Speaker announced the following several messages from the Senate, by their messenger, H. S. Roberts :

A message returning to the House the " Bill in relation to auditor general's warrants on the internal improvement fund," and informing the House that the Senate non-concur in the first amendment made thereto by the House, and concur in the other amendments.

Also returning the " Bill to provide for laying out a state road from Corunna, in the county of Shiawassee, to a place called Indian village, in the county of Saginaw ;" also, " A bill to amend part first, title third, chapter third of the revised statutes, and for other purposes," and to inform the House that the Senate have concurred therein and duly passed the same.

Also returning the " Bill to modify and alter the second and eighth sections of part first, title fifth, chapter sixth of the revised statutes," and to inform the House that the Senate have appointed as a committee of conference thereon, Senators Bell, Champlin and Hewitt, on the part of the Senate ; also returning the " Bill to amend the charter of the city of Monroe," and to inform the House that the Senate have concurred therein and duly passed the same ; also returning " A bill to exempt from taxation, lands used by the state of Michigan for the purposes of railroads or canals," and to inform the House that the Senate have concurred therein and duly passed the same ; also returning " A bill to amend an act entitled ' an act to organize courts of special sessions,' approved March 17th, 1840," and to inform the House that the Senate have concurred therein and passed the same ; also returning the " Bill for the relief of George Campau," and to respectfully inform the House that the Senate non-concur therein.

And the " Bill in relation to auditor general's warrants on the internal improvement fund," was indefinitely postponed.

Also, a message transmitting to the House " A bill authorizing the leasing of the Central railroad," which the Senate have passed, and respectfully asking the concurrence of the House therein.

An the said bill being under consideration, was, on motion, indefinitely postponed.

Also, a message returning the "Bill to establish the course and channel of the Arcadia creek, in the county of Kalamazoo," and informing the House that the Senate have passed the same with an amendment thereto attached, in which they respectfully ask the concurrence of the House."

And the amendment to the bill was concurred in, and the bill passed.

Also, a message returning to the House "A bill to repeal the charter of the Detroit and Pontiac turnpike company," and informing the House that the Senate have concurred therein and duly passed the same.

And said bill was ordered to be enrolled.

Also, a message returning to the House "A bill to make partition of certain lands," and informing the House that the Senate have concurred therein, and duly passed the same.

And said bill was ordered to be enrolled.

Also, a message returning to the House "A bill to provide for auditing and settling the claims of Messrs. Dawson & Bates," and informing the House that the Senate have concurred in the amendments proposed thereto by the committee of conference; also returning a "Joint resolution relative to duties of register in chancery and clerk of supreme court;" also, a "Joint resolution relative to leasing the Clinton and Kalamazoo canal," and respectfully informing the House that the Senate have concurred therein, and duly passed the same.

And said bill and joint resolutions were ordered enrolled.

Mr. Hanscom laid upon the table a resolution proposing to lease the Central railroad to Messrs. Wales & Williams.

Mr. Stuart called up the resolution for the relief of W. H. & W. F. Commins, and the same was adopted.

The following message from the Senate was announced:

A message returning "A bill for the relief of Stanton Tafft and Jacob Beeson;" also, "A bill to provide for the collection of certain assets transferred to the state, and for other purposes," which the Senate have duly passed.

Also, transmitting "A joint resolution to provide for paying assistant librarian;" also, "A joint resolution authorizing board of

internal improvement to purchase locomotives," which the Senate have passed and respectfully asking the concurrence of the House therein.

And the last named resolution being under consideration,

Mr. Hanscom offered the following amendment :

" That the board of commissioners be also authorized and empowered on the part of the state to pledge for a term not exceeding five years, the nett proceeds of the Southern railroad to an amount not exceeding one hundred and five thousand dollars, for the purchase and payment for iron to iron the Southern railroad and completion thereof from Adrian to Hillsdale."

The question being taken by yeas and nays, the amendment was adopted by the following vote :

YEAS.

Mr. Anderson,	Mr. Dort,	Mr. Mickle,
Mr. Arnold,	Mr. Fessenden.	Mr. Preston,
Mr. Axford,	Mr. French,	Mr. Rice,
Mr. Babcock,	Mr. Gunning,	Mr. Sanborn,
Mr. Ball,	Mr. Hanscom,	Mr. Scott,
Mr. Bennett,	Mr. Hawley,	Mr. Sheldon,
Mr. Berry,	Mr. Hewitt,	Mr. Videto,
Mr. Blair,	Mr. Howell,	Mr. Walker,
Mr. Bush,	Mr. Humphrey,	Mr. Wendell,
Mr. Chipman,	Mr. King,	Mr. Wilson,
Mr. Cooper,	Mr. Livermore,	Mr. Wing,
Mr. Crary,	Mr. Lothrop,	Mr. Woodbury,
Mr. Dexter,	Mr. Magoon,	Mr. Speaker,

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NAYS.

Mr. Goodwin,	Mr. Norvell,	Mr. Smith,
Mr. Hathaway,	Mr. Stuart,	Mr. Turner,
Mr. Lamb,		

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Mor Lothrop moved a reconsideration of the vote, which motion was lost, and the resolution, as amended, was adopted.

Mr. Norvell laid the following resolution on the table :

Resolved by the Senate and House of Representatives of the State of Michigan, That the board of commissioners of internal improvement be, and they are hereby, authorized and directed to pledge the nett proceeds of the Central railroad for an amount not exceeding one hundred and twelve thousand dollars, for the completion of the said road from Jackson to Marshall.

On motion of Mr. Norvell,

The House resolved itself into committee of the whole on the three several appropriation bills, Mr. Crary in the chair.

After some time spent thereon, the committee rose and reported the same back with amendments, and

The "Bill making appropriations for the current expenses of the year 1842," was concurred in and passed.

The general appropriation bill for 1842, being under consideration,

Mr. Norvell moved that extra pay be allowed to the representative from Mackinac, and twenty-five dollars extra each to the sergeant-at-arms of the Senate and the sergeant-at-arms of the House, which motion was lost.

On motion of Mr. Littlejohn, one dollar per day extra was allowed to Horace S. Roberts, for reporting messages from the Senate, and the bill passed.

The "Bill making appropriations for claims prior to the year 1842," being under consideration,

Mr. Crary moved to strike out all after the enacting clause, which motion was lost.

The House then again resolved itself into committee of the whole on said bill, Mr. Crary in the chair.

After some time spent thereon, the committee rose, reported the same back with amendments, which were concurred in.

Mr. Scott moved to reinstate the claim of the corporation of the city of Detroit, which motion was lost.

Mr. Dort moved to reinstate the claim of Daniel Thompson, which was lost.

On motion of Mr. Norvell, the bill was read a third time and passed.

On motion of Mr. Norvell,

The committee of the whole were discharged from the further consideration of the "Bill to prohibit the re-issue of treasury notes," and the same was taken up in the House.

Mr. Stuart moved the indefinite postponement of the bill, which was lost by yeas and nays :

YEAS.

Mr. Arnold,	Mr. Lothrop,	Mr. White,
Mr. Berry,	Mr. Rice,	Mr. Wilson,
Mr. Crary,	Mr. Sanborn,	Mr. Wing,
Mr. Howell,	Mr. Sheldon,	Mr. Speaker,
Mr. Littlejohn,	Mr. Stuart,	

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NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Livermore,
Mr. Axford,	Mr. Fessenden,	Mr. Norvell,
Mr. Babcock,	Mr. French,	Mr. Scott,
Mr. Ball,	Mr. Hawley,	Mr. Smith,
Mr. Blair,	Mr. Hewitt,	Mr. Videto,
Mr. Bush,	Mr. Lamb,	Mr. Wendell,
Mr. Cooper,	Mr. Lewis,	Mr. Woodbury,
Mr. Dexter,		

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Mr. Stuart moved to lay the bill on the table, which motion was lost, as follows :

YEAS.

Mr. Annable,	Mr. Littlejohn,	Mr. Sheldon,
Mr. Fessenden,	Mr. Lothrop,	Mr. Stuart,
Mr. Howell,	Mr. Rice,	Mr. White,
Mr. Humphrey,	Mr. Sanborn,	Mr. Wilson,

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NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Norvell,
Mr. Babcock,	Mr. French,	Mr. Scott,
Mr. Ball,	Mr. Hawley,	Mr. Smith,
Mr. Berry,	Mr. Hewitt,	Mr. Videto,
Mr. Blair,	Mr. Lamb,	Mr. Wing,
Mr. Bush,	Mr. Lewis,	Mr. Woodbury,
Mr. Cooper,	Mr. Livermore,	Mr. Speaker,
Mr. Dexter,	Mr. Mickle,	

23

Mr. Lothrop moved to strike out "any," and insert "more than one half of," which motion did not prevail.

On motion of Mr. Stuart, the further consideration of the bill was indefinitely postponed.

The following message from the Executive, by his private secretary, Mr. Welch, was announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following acts, viz :

"An act to make partition of certain lands."

"An act to provide for the adjustment of the five million loan."

"A joint resolution in relation to the adjustment of the five million loan."

"An act to establish the course and channel of the Arcadia creek, in the county of Kalamazoo."

JOHN S. BARRY.

Executive Office, February 17, 1842.

The following messages were announced from the Senate, by their messenger, H. S. Roberts :

A message transmitting to the House a "Joint resolution authorizing the state treasurer to pay two thousand dollars to the trustees of the Wesleyan seminary, at Albion," which the Senate have adopted and respectfully asking the concurrence of the House therein.

And the said resolution was adopted with an amendment, and returned to the Senate.

Also, a message transmitting a "Joint resolution relative to running the cars on the railroads of the state on the first day of the week," which the Senate have adopted and respectfully asking the concurrence of the House therein.

And said resolution was concurred in.

Also, a message returning the "Bill to repeal a part of chapter eight, title fifth, part first of the revised statutes," and respectfully informing the House that the Senate have concurred therein and passed the same.

And said bill was ordered to be enrolled.

Also, a message transmitting to the House "A bill to provide for the completion of the Southern railroad, and for other purposes," which the Senate have passed and respectfully asking the concurrence of the House therein.

And said bill was laid upon the table.

Mr. Dexter offered a resolution which was laid upon the table.

Mr. Howell offered the following resolution which was laid upon the table :

"*Resolved*, That no further action of this House shall be had on any bills upon the general order."

Mr. Howell moved to take up the bill relative to the removal of the state capitol, which motion prevailed, when

On motion of Mr. Crary, the vote was reconsidered, and

Mr. Bush renewing the motion to take up the bill, the same was lost as follows :

YEAS.

Mr. Anderson,	Mr. Howell,	Mr. Walker,
Mr. Annable,	Mr. Humphrey,	Mr. White,
Mr. Berry,	Mr. Magoon,	Mr. Wilson,
Mr. Bush,	Mr. Mickle,	Mr. Wing,
Mr. Goodwin,	Mr. Rice,	Mr. Woodbury,
Mr. Hanscom,	Mr. Sheldon,	Mr. Speaker,
Mr. Hewitt,	Mr. Smith,	

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- NAYS.

Mr. Axford,	Mr. French,	Mr. Lothrop,
Mr. Ball,	Mr. Gunning,	Mr. Norvell,
Mr. Chipman,	Mr. Hawley,	Mr. Scott,
Mr. Cooper,	Mr. King,	Mr. Stuart,
Mr. Crary,	Mr. Lewis,	Mr. Turner,
Mr. Dexter,	Mr. Littlejohn,	Mr. Videto,
Mr. Dort,	Mr. Livermore,	Mr. Wendell,
Mr. Fessenden,		

22

On motion of Mr. Crary, the bill relative to certain state roads," was taken up and passed.

On motion of Mr. Bush,

The "Bill to extend the time for the collection of taxes in the township of Tecumseh," was taken up and passed.

The general order of the day being called for and ordered,

Mr. Chipman moved the reference of the "Bill to prohibit recoveries of damages in certain cases," and the yeas and nays being called, it was lost by the following vote :

YEAS.

Mr. Berry,	Mr. Humphrey,	Mr. Sanborn,
Mr. Bush,	Mr. Livermore,	Mr. Stuart,
Mr. Chipman,	Mr. Magoon,	Mr. Smith,
Mr. French,	Mr. Mickle,	Mr. Wendell,
Mr. Hanscom,	Mr. Preston,	Mr. Wing,
Mr. Hawley,		

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,
Mr. Annable,	Mr. Gunning,	Mr. Scott,
Mr. Axford,	Mr. Hewitt,	Mr. Sheldon,
Mr. Ball,	Mr. Howell,	Mr. Turner,
Mr. Cooper,	Mr. King,	Mr. Videto,
Mr. Crary,	Mr. Littlejohn,	Mr. Walker,
Mr. Dexter,	Mr. Lothrop,	Mr. Speaker,
Mr. Fessenden,	Mr. Norvell,	

23

On motion of Mr. Lewis,

The "Bill to repeal an act, approved April 12, 1839, entitled "An act for the more effectual defence of the state against foreign invasion," was taken up, the third section stricken out, on motion of Mr. Bush, and the bill passed.

The House then took up the "Bill for laying out and altering certain state roads," and passed the same.

The "Bill to amend chapter one, title four, part three of the revised statutes, entitled 'of proceedings against debtors in attachment,' being under consideration, the amendments were concurred in and the bill passed.

The "Bill to amend title one, part three, chapter six," being on its final vote, was lost as follows :

YEAS.

Mr. Berry,
Mr. Hewitt,
Mr. Howell,
Mr. Livermore,

Mr. Lothrop,
Mr. Mickle,
Mr. Rice,

Mr. Wing,
Mr. Woodbury,
Mr. Speaker,

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NAYS.

Mr. Anderson,
Mr. Annable,
Mr. Axford,
Mr. Ball,
Mr. Blair,
Mr. Bush,
Mr. Chipman,
Mr. Dexter,
Mr. Dort,
Mr. Fessenden,

Mr. French,
Mr. Goodwin,
Mr. Gunning,
Mr. Hanscom,
Mr. Hawley,
Mr. King,
Mr. Littlejohn,
Mr. Magoon,
Mr. Norvell,

Mr. Sanborn,
Mr. Sheldon,
Mr. Stuart,
Mr. Smith,
Mr. Turner,
Mr. Videto,
Mr. Walker,
Mr. Wendell,
Mr. Wilson,

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Mr. Hanscom called up the "Bill to amend the act to incorporate the village of Pontiac," which received its third reading and passed.

The "Bill authorizing the agent of the state prison to lease, for a term of years, the labor of convicts in the state prison," was considered and passed.

On motion of Mr. Crary, the bills from the Senate were taken up, and

The "Bill for the relief of S. Y. At Lee," being under consideration, it was, on motion, laid upon the table.

The "Bill to amend title seven, part two, chapter two, section six of the revised statutes, entitled 'of divorce,'" was passed.

The "Bill for the protection of religious meetings," was indefinitely postponed.

The "Bill amendatory of the statutes relating to the partition of real estate," passed.

The "Bill to remove the capitol of the state," being called up, and a motion made to fill the blank with "Marshall," the same was lost by the following vote :

YEAS.

Mr. Babcock,	Mr. Hewitt,	Mr. Smith,
Mr. Ball,	Mr. Howell,	Mr. Walker,
Mr. Berry,	Mr. Humphrey,	Mr. Wilson,
Mr. Blair,	Mr. Mickle,	Mr. Wing,
Mr. Bush,	Mr. Rice,	Mr. Woodbury,
Mr. Fessenden,	Mr. Sheldon,	Mr. Speaker,
Mr. Hanscom,		

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NAYS.

Mr. Anderson,	Mr. Goodwin,	Mr. Norvell,
Mr. Arnold,	Mr. Gunning,	Mr. Preston,
Mr. Axford,	Mr. Hathaway,	Mr. Sanborn,
Mr. Bennett,	Mr. Hawley,	Mr. Scott,
Mr. Cooper,	Mr. Lewis,	Mr. Stuart,
Mr. Crary,	Mr. Littlejohn,	Mr. Turner,
Mr. Dexter,	Mr. Livermore,	Mr. Videto,
Mr. Dort,	Mr. Lothrop,	Mr. Wendell,
Mr. French,		

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Mr. Bush moved for a recess of an half hour, which motion was lost.

On motion of Mr. Stuart, the "Bill relative to suits in ejectment," was taken up and passed.

Mr. King, from the committee on enrolment, reported as correctly enrolled,

"A joint resolution in relation to the adjustment of the five million loan."

"An act to establish the course and channel of the Arcadia creek in the county of Kalamazoo."

"An act to repeal a part of chapter eight, title five, part first of the revised statutes, and for other purposes."

"An act to provide for the collection of certain assets transferred to the state, and for other purposes."

"An act for the relief of Stanton Tafft and Jacob Beeson."

The following message from the Senate, by their messenger, H. S. Roberts, was announced :

A message returning to the House "A bill making appropriations to defray certain expenses authorized for the year 1842," and to inform the House that the Senate have concurred therein with certain amendments, in which they respectfully ask the concurrence of the House.

And the House having the same under consideration, refused to concur.

Also, "A bill making appropriations for the current expenses of the government for the year 1842," and to inform the Senate have concurred therein with an amendment, in which they respectfully ask the concurrence of the House.

And the House took a recess for fifteen minutes.

The Speaker having resumed the chair, the following messages were received from the Senate, by their messenger, H. S. Roberts :

A message returning to the House "A bill making appropriations to defray certain expenses authorized for the year 1842," and to inform the House that the Senate insist upon their second amendment thereto, and recede from their fifth amendment.

Whereupon the House persist, and appoint as a committee of conference, Messrs. Fessenden, Lothrop and Goodwin.

A message returning the "Bill making appropriations for expenses incurred prior to 1st of January 1842," with amendments, and respectfully asking the concurrence of the House therein.

And the House having the bill under consideration, refuse to concur in the amendments of the Senate, by the following vote :

YEAS.

Mr. Annable,	Mr. Hanscom,	Mr. Norvell,	
Mr. Arnold,	Mr. Howell,	Mr. Scott,	
Mr. Bennett,	Mr. King,	Mr. Smith,	
Mr. Berry,	Mr. Lewis,	Mr. Turner,	
Mr. Chipman,	Mr. Littlejohn,	Mr. White,	
Mr. Dexter,	Mr. Livermore,	Mr. Wilson,	
Mr. Goodwin,	Mr. Magoon,	Mr. Wing,	21

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Mickle,
Mr. Axford,	Mr. Fessenden,	Mr. Preston,

Mr. Babcock,	Mr. French,	Mr. Rice,	
Mr. Ball,	Mr. Gunning,	Mr. Sanborn,	
Mr. Blair,	Mr. Hewitt,	Mr. Sheldon,	
Mr. Bush,	Mr. Humphrey,	Mr. Stuart,	
Mr. Cooper,	Mr. Lamb,	Mr. Videto,	
Mr. Crary,	Mr. Lothrop,	Mr. Speaker,	24

Also, a message from the Senate, returning to the House "A bill to authorize John A. Wendell to erect a certain mill race and dam," and informing the House that the Senate have concurred therein and duly passed the same.

Also, a message returning to the House "A bill in relation to certain actions of ejectments," and informing the House that the Senate have concurred therein and duly passed the same.

Also, transmitting to the House "A bill to amend an act entitled 'An act to provide for the disposition of prisoners apprehended within the county of Macomb,'" &c., which the Senate have passed and respectfully asking the concurrence of the House therein.

Also, returning "A joint resolution directing the superintendent of public instruction to loan certain moneys," and informing the House that the Senate have non-concurred therein.

Also, returning "A bill to amend an act entitled 'an act to incorporate the village of Pontiac,'" and informing the House that the Senate have concurred therein and duly passed the same.

Also, returning "A bill authorizing the agent of the state prison to let the labor of convicts for a term of years," and informing the House that the Senate have concurred therein and duly passed the same.

Also, informing the House that the Senate have appointed as a committee of conference on the part of the Senate, on the "Bill making appropriations to defray certain expenses authorized for the the year 1842," Senators Hewitt, Chanplin and Kingsley.

Also, returning the "Bill to repeal an act approved 12th April, 1839, entitled "An act to provide for the more effectual defence of the state against foreign invasion," and informing the House that the Senate have concurred therein and duly passed the same.

Also, returning the "Bill to provide for the laying out and altering certain state roads," and informing the House that the Senate have concurred therein and duly passed the same.

On motion of Mr. Fessenden,

The "Bill to amend an act entitled 'An act for the disposition of prisoners apprehended within the county of Macomb,'" was taken up and passed.

The "Joint resolution directing the superintendent of public instruction to loan certain moneys," being under consideration, the House receded, and laid the same upon the table.

Mr. Stuart called up the "Bill authorizing J. A. Wendell to erect a certain mill race and dam," and the same was passed.

The "Bill to provide for the payment of register of deeds and county clerks, and for other purposes," was indefinitely postponed.

Mr. Fessenden, from the committee of conference on the "Bill making appropriations to defray certain expenses authorized for the year 1842," reported that the committee had recommended that the Senate do recede from their amendment.

The following message was announced from the Senate :

A message informing the House that the Senate refuse to concur in the report of the committee of conference on the "Bill making appropriations to defray certain expenses authorized for the year 1842," and that they adhere to their second amendment thereto.

Also, returning the "Bill to amend an act for the regulation of internal improvements, approved March 25, 1840, and to provide for the settlement of claims."

Also, returning the "Bill to extend the time for the collection of taxes in the township of Tecumseh," and respectfully informing the House that the Senate have concurred therein and duly passed the same.

Leave of absence was asked and granted Mr. Preston, on account of indisposition.

Mr. Norvell moved to take up the appropriation bills.

Mr. Lothrop moved that the House act upon the bills reported by the committee of the whole, which motion prevailed.

A message was announced from the Senate, returning to the House the "Bill to provide for the transfer of real estate on execution, and for other purposes," and to inform the House that the Senate have adopted a substitute therefor, therewith transmitted, and respectfully asking the concurrence of the House therein.

The substitute being under consideration, was indefinitely postponed, by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Preston,	
Mr. Annable,	Mr. Hawley,	Mr. Sanborn,	
Mr. Ball,	Mr. Humphrey,	Mr. Stuart,	
Mr. Bennett,	Mr. Lamb,	Mr. Smith,	
Mr. Blair,	Mr. Lewis,	Mr. Turner,	
Mr. Cooper,	Mr. Littlejohn,	Mr. Videto,	
Mr. Crary,	Mr. Lothrop,	Mr. White,	
Mr. Dexter,	Mr. Magoon,	Mr. Wing,	
Mr. French,	Mr. Norvell,	Mr. Speaker,	27

NAYS.

Mr. Axford,	Mr. Chipman,	Mr. Hanscom,	
Mr. Babcock,	Mr. Dort,	Mr. Hewitt,	
Mr. Berry,	Mr. Fessenden,	Mr. Livermore,	
Mr. Bush,	Mr. Gunning,	Mr. Rice,	12

And the House took a recess until seven o'clock.

Evening Session.

Mr. Hanscom, from the committee of conference, made a report, which was concurred in.

The following message was announced from the executive :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following acts, viz :

“An act to provide for the collection of certain assets transferred to the state, and for other purposes.”

“An act to repeal a part of chapter eight, title fifth, part first of the revised statutes, and for other purposes.”

“An act for the relief of Stanton Tafft and Jacob Beeson.”

“An act making appropriations for the current expenses of the government for the year eighteen hundred and forty-two.”

JNO. S. BARRY.

Executive Office, February 17, 1842.

The following messages were announced from the Senate :

A message returning to the House the “Joint resolution relative to bond and mortgage of W. H. and W. F. Commins,” and respectfully informing the House that the Senate have concurred in, and adopted the same.

A message informing the House that the Senate have concurred in the report of the committee of conference on the "Bill making appropriations to defray certain expenses authorized for the year 1842," and receded from their second amendment thereto.

A message informing the House that the Senate have appointed as a committee of conference on the part of the Senate, Senators Wixom, Kingsley and Walker, on the "Bill making appropriations for the payment of certain claims prior to the first of January, 1842."

Mr. Stuart moved to reconsider the vote postponing indefinitely the bill for the transfer of real estate on execution, and for other purposes.

Mr. Lothrop moved to lay the same on the table, which motion was lost, by yeas and nays :

YEAS.

Mr. Anderson,	Mr. Humphrey,	Mr. Sanborn,
Mr. Bennett,	Mr. King,	Mr. Sheldon,
Mr. Blair,	Mr. Lewis,	Mr. Videto,
Mr. Cooper,	Mr. Lothrop,	Mr. Walker,
Mr. Crary,	Mr. Mickle,	Mr. White,
Mr. Gunning,	Mr. Norvell,	Mr. Woodbury,
Mr. Hewitt,	Mr. Preston,	Mr. Speaker,
Mr. Howell,	Mr. Rice,	

23

NAYS.

Mr. Annable,	Mr. Fessenden,	Mr. Scott,
Mr. Axford,	Mr. French,	Mr. Stuart,
Mr. Babcock,	Mr. Goodwin,	Mr. Smith,
Mr. Ball,	Mr. Hanscom,	Mr. Turner,
Mr. Bush,	Mr. Lamb,	Mr. Wendell,
Mr. Chipman,	Mr. Littlejohn,	Mr. Wilson,
Mr. Dexter,	Mr. Livermore,	Mr. Wing,
Mr. Dort,	Mr. Magoon,	

23

A motion for reconsidering prevailed by the following vote :

YEAS.

Mr. Anderson,	Mr. Dexter,	Mr. Rice,
Mr. Arnold,	Mr. Fessenden,	Mr. Scott,
Mr. Axford,	Mr. Goodwin,	Mr. Stuart,
Mr. Babcock,	Mr. Hanscom,	Mr. Smith,
Mr. Bennett,	Mr. Howell,	Mr. Turner,
Mr. Berry,	Mr. Lamb,	Mr. Wendell,
Mr. Bush,	Mr. Littlejohn,	Mr. Wilson,
Mr. Chipman,	Mr. Livermore,	Mr. Wing,
Mr. Cooper,		

25

NAYS.

Mr. Ball,	Mr. Lewis,	Mr. Sheldon,
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Mr. Blair,	Mr. Lothrop,	Mr. Videto,
Mr. Crary,	Mr. Mickle,	Mr. Walker,
Mr. French,	Mr. Norvell,	Mr. White,
Mr. Hewitt,	Mr. Preston,	Mr. Woodbury,
Mr. Humphrey,	Mr. Sanborn,	Mr. Speaker,
Mr. King,		19

A motion to indefinitely postpone was lost by the following vote :

YEAS.

Mr. Ball,	Mr. King,	Mr. Sanborn,
Mr. Bennett,	Mr. Lamb,	Mr. Sheldon,
Mr. Blair,	Mr. Lothrop,	Mr. Videto,
Mr. Crary,	Mr. Magoon,	Mr. Walker,
Mr. French,	Mr. Mickle,	Mr. White,
Mr. Gunning,	Mr. Norvell,	Mr. Woodbury,
Mr. Hewitt,	Mr. Preston,	Mr. Speaker,
Mr. Humphrey,		22

NAYS.

Mr. Anderson,	Mr. Dort,	Mr. Rice,
Mr. Annable,	Mr. Fessenden,	Mr. Scott,
Mr. Arnold,	Mr. Goodwin,	Mr. Stuart,
Mr. Axford,	Mr. Hanscom,	Mr. Smith,
Mr. Babcock,	Mr. Howell,	Mr. Turner,
Mr. Berry,	Mr. Lewis,	Mr. Wendell,
Mr. Bush,	Mr. Littlejohn,	Mr. Wilson,
Mr. Chipman,	Mr. Livermore,	Mr. Wing,
Mr. Dexter,		25

And a committee of conference was appointed thereon, who reported in favor of the House bill with amendments, which was passed.

The following messages were announced from the Senate :

A message informing the House that the Senate had appointed a new committee of conference on the subject of disagreement between the Senate and the House, in relation to the appropriation to the secretary of the Senate, consisting of Senators Bell, Walker and Cust.

A message returning the "Bill to amend the justices' act," and informing the House that the Senate have passed the same with an amendment in which they respectfully asked the concurrence of the House.

A message informing the House that the Senate have concurred in the report of the committee of conference on the "Claims of Monroe and Maynard."

A message transmitting to the House, "A bill to repeal an act entitled 'An act to organize a certain township in the county of

Genesee," which the Senate have passed and respectfully asking the concurrence of the House therein.

A message returning to the House "A bill to modify and alter the second and eighth sections of part first, title five, chapter six, of the revised statutes," and informing the House that the Senate have passed the same with sundry amendments in which they respectfully ask the concurrence of the House.

A message transmitting to the House "A bill to provide for continuing the building of the state prison," which the Senate have passed and respectfully asking the concurrence of the House therein.

Mr. King from the committee on enrolment, reported as correctly enrolled, "An act to repeal the charter of the Detroit and Pontiac turnpike company."

"An act making appropriations to defray certain expenses authorized for the year 1842."

"An act to amend an act entitled 'an act for the regulation of internal improvement,' approved March 25, 1840, and to provide for the settlement of claims."

"An act to authorize John A. Wendell to erect a dam across Buckhorn creek, and to use the water by means of a canal or race, for certain purposes."

"An act in relation to certain actions in ejectment."

The bill for the removal of the capitol was indefinitely postponed by the following vote :

YEAS.

Mr. Anderson,	Mr. Dexter,	Mr. Livermore,	
Mr. Annable,	Mr. Dort,	Mr. Lothrop,	
Mr. Axford,	Mr. French,	Mr. Magoon,	
Mr. Babcock,	Mr. Goodwin,	Mr. Norvell,	
Mr. Bennett,	Mr. Gunning,	Mr. Preston,	
Mr. Blair,	Mr. Hawley,	Mr. Scott,	
Mr. Chipman,	Mr. Lewis,	Mr. Stuart,	
Mr. Crary,	Mr. Littlejohn,	Mr. Videto,	24

NAYS.

Mr. Ball,	Mr. Humphrey,	Mr. Walker,	
Mr. Berry,	Mr. King,	Mr. White,	
Mr. Bush,	Mr. Lamb,	Mr. Wilson,	
Mr. Fessenden.	Mr. Mickle,	Mr. Wing,	
Mr. Hanscom,	Mr. Sanborn,	Mr. Woodbury,	
Mr. Hewitt,	Mr. Sheldon,	Mr. Speaker,	
Mr. Howell,	Mr. Turner,		20

Mr. Norvell asked for and obtained leave to introduce "A bill to repeal the act for the preservation of wood-cocks, quails, partridges, and pheasants, in the county of Wayne."

And the rule was suspended and the bill passed.

The "Bill to provide for continuing the building of the state prison," was indefinitely postponed by the following vote :

YEAS.

Mr. Anderson,	Mr. Goodwin,	Mr. Rice,
Mr. Annable,	Mr. Gunning,	Mr. Sanborn,
Mr. Axford,	Mr. Hewitt,	Mr. Sheldon,
Mr. Babcock,	Mr. Humphrey,	Mr. Stuart,
Mr. Bennett,	Mr. King,	Mr. Smith,
Mr. Berry,	Mr. Littlejohn,	Mr. Turner,
Mr. Blair,	Mr. Lothrop,	Mr. Walker,
Mr. Chipman,	Mr. Magoon,	Mr. Wendell,
Mr. Crary,	Mr. Mickle,	Mr. White,
Mr. Dexter,	Mr. Norvell,	Mr. Wilson,
Mr. Dort,	Mr. Preston,	Mr. Woodbury,
Mr. Fessenden,		

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NAYS.

Mr. Ball,	Mr. Hawley,	Mr. Scott,
Mr. Bush,	Mr. Howell,	Mr. Videto,
Mr. Cooper,	Mr. Lamb,	Mr. Wing,
Mr. French,	Mr. Livermore,	Mr. Speaker,
Mr. Hanscom,		

13

The "Bill to amend an act entitled 'An act to prescribe the powers and duties of justices of the peace in criminal proceedings,' approved April 9, 1841," being under consideration, the amendments of the Senate were concurred in by the following vote :

YEAS.

Mr. Anderson,	Mr. Fessenden,	Mr. Rice,
Mr. Annable,	Mr. Goodwin,	Mr. Sanborn,
Mr. Arnold,	Mr. Hanscom,	Mr. Stuart,
Mr. Axford,	Mr. Howell,	Mr. Smith,
Mr. Babcock,	Mr. Humphrey,	Mr. Videto,
Mr. Berry,	Mr. Littlejohn,	Mr. Walker,
Mr. Blair,	Mr. Lothrop,	Mr. Wendell,
Mr. Cooper,	Mr. Magoon,	Mr. White,
Mr. Crary,	Mr. Mickle,	Mr. Woodbury,
Mr. Dexter,	Mr. Norvell,	

29

NAYS.

Mr. Ball,
Mr. Bush,
Mr. Dort,
Mr. Gunning,

Mr. Hewitt,
Mr. Lamb,
Mr. Lewis,

Mr. Scott,
Mr. Wing,
Mr. Speaker,

10

The vote on the "Bill providing for continuing the building of the state prison," was reconsidered, and the bill passed.

The following message was announced from the Senate :

A message returning to the House "A bill to repeal the act for the preservation of wood-cocks, quails, partridges and pheasants, in the county of Wayne," and informing the House that the Senate have passed the same.

The following messages from the Governor, by his private secretary, Mr. Welch, were announced :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following acts, viz :

"An act to amend an act entitled 'An act for the regulation of internal improvement,' approved March 25, 1840," and to provide for the settlement of claims."

"An act to repeal an act approved 12th April, 1839, entitled 'An act to provide for the more effectual defence of the state against foreign invasion.'"

"An act to authorize John A. Wendell, to erect a dam across Buckhorn creek, and to use the water by means of a canal or race for certain purposes."

"An act making appropriations to defray certain expenses authorized for the year eighteen hundred and forty-two.

"An act authorizing the inspectors of state prison, to let the labor of the convicts for a term of years."

"An act to provide for laying out a certain state road, and for other purposes."

"An act to extend the time for the collection of taxes in the township of Tecumseh."

"An act making appropriations for the payment of certain claims against the state."

"Joint resolution relating to bond and mortgage of W. H. & B. F. Commins."

JOHN S. BARRY.

Executive Office, February 17, 1842.

Mr. Fessenden, from the committee on enrolment, reported as correctly enrolled "An act relative to wood-cocks and quails;" also, "An act to amend an act entitled 'An act to prescribe the powers and duties of justices of the peace in civil proceedings,' approved April 9, 1841;" also, "An act to provide for the transfer of real estate on execution, and for other purposes."

On motion of Mr. Norvell,

Resolved, (the Senate concurring,) That a joint committee of the Senate and House of Representatives be appointed to wait upon the Governor and to inform him that the two Houses, having finished the business of the session, are ready to adjourn, if he has no further communication to make to them.

And Messrs. Norvell and Lothrop were appointed the committee on the part of the House.

The following message was announced from the Senate :

A message returning to the House a "Joint resolution relative to adjournment of the legislature," and informing the House that the Senate have concurred therein, and appointed as a joint committee on the part of the Senate, Senators Kingsley and Fuller.

On motion of Mr. Goodwin,

A committee of two, consisting of Messrs. Goodwin and Fessenden, were appointed to wait upon the Senate and announce that the House had finished its business and were ready to adjourn.

The following message was announced from the executive :

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, the following acts, viz :

"An act in relation to certain actions in ejectment."

"An act to repeal the act for the preservation of wood-cocks, partridges and pheasants, in the county of Wayne."

"An act to amend an act entitled 'an act to prescribe the pow-

ers and duties of justices of the peace in civil proceedings,' approved April 9, 1841."

"An act to provide for the transfer of real estate on execution, and for other purposes."

"An act to amend an act entitled 'an act to incorporate the village of Pontiac.'"

JNO. S. BARRY.

Executive Office, February 17, 1842.

Mr. King, from the committee on enrolment, reported as correctly enrolled, "An act to repeal an act approved April 12, 1839, entitled 'an act to provide for the more effectual defence of the state against foreign invasion.'"

"An act to extend the time for the collection of taxes in the township of Tecumseh."

"An act authorizing the inspectors of the state prison to let the labor of convicts for a term of years."

"An act to provide for laying out a certain state road, and for other purposes."

"A joint resolution relating to bond and mortgage of W. H. and B. T. Commins."

Mr. Norvell, from the committee to wait on his excellency the Governor, reported that the committee had received for answer, that he had no further communications to make to the House.

Mr. Goodwin, from the committee to wait upon the Senate, reported that their duties had been performed.

Senators Kingsley and Cust, as a committee from the Senate, announced that body in readiness to adjourn.

RESOLUTIONS OF THANKS.

The following resolutions were offered and unanimously adopted, (Mr. Lothrop in the chair :)

On motion of Mr. Lamb,

Resolved, unanimously, That the thanks of this House be, and they are hereby cordially tendered to the Honorable Kinsley S. Bingham, for the courteous and impartial manner in which he has presided over this body in their deliberations, at the present session.

On motion of Mr. Fessenden,

Resolved, That the House tender their thanks to E. J. Roberts,

Esq., for the faithful and efficient discharge of his laborious duties as chief clerk of this body, and hereby express their high sense of his value as an officer and a man.

The Speaker resumed the chair and delivered the following

FAREWELL ADDRESS.

Gentlemen of the House of Representatives :

I embrace the only occasion left before our separation to tender to each of you my warmest thanks for the uniform kindness and courtesy extended to me as your presiding officer, and especially for the unanimous approval of my conduct which you have given to the public and spread upon your journals to-day. Next to the consciousness of having discharged my duty, nothing could be more gratifying than the assurance of those who elevated me, that I have given entire satisfaction. If I have been successful, I owe much of it to the labors of a faithful and able Clerk, and to the generous aid which you have given me upon all occasions. We were elected and assembled, gentlemen, at a period of great pecuniary embarrassment. Unwise legislation had imposed upon the people a depreciated and worthless currency, and a system of extravagant expenditure had crippled the resources of the State, and laid upon the people a heavy burden of taxation. They looked to us for a redress of grievances—punctual retrenchment and the exercise of the most rigid economy. The result of our labors will soon be laid before them to pass the ordeal of their unerring judgment. I have no desire to forestall their opinion—but the position which I have occupied has given me an opportunity for observation possessed by no other—and I take pleasure in bearing my willing testimony to the purity of motive, the ardent zeal, and the untiring perseverance which has prompted all your actions. For laborious service upon committees, for long protracted daily sittings, for a curtailment of expenditure, for an abolition of useless offices, for the shortness of the session, for extraordinary ability, and for a constant devotion to the interests of your constituents, you stand unrivalled by preceding legislatures. It is my ardent hope that your acts will prove in the highest degree beneficial, and that all the just expectations of the people will be fully realized.

Gentlemen—The hour of parting has come. How happy the reflection that no difference of opinion, no diversity of interest has disturbed our harmonious intercourse, and that the unutterable impulses of the heart assure us that we are bound together by the strongest ties of friendship. I wish each of you a safe return to your families and constituents, and throughout a long life an uninterrupted course of usefulness and honor.

And the House, on motion of Mr. Norvell, adjourned *sine die*.



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